



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
April 28, 2021**

PUBLIC NOTICE IS HEREBY GIVEN that the PLANNING COMMISSION of Park City, Utah will hold its Regular Planning Commission Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Wednesday, April 28, 2021.

NOTICE OF ELECTRONIC MEETING AND HOW TO COMMENT VIRTUALLY

This meeting will be an electronic meeting without an anchor location as permitted by Utah Code Open and Public Meetings Act section 52-4-207(4) as amended June 18, 2020, and Park City Resolution 18-2020, adopted March 19, 2020. The written determination of a substantial health and safety risk, required by Utah Code section 52-4-207(4) is attached as Exhibit A. Planning Commission members will connect electronically. Public comments will be accepted virtually as described below.

To comment virtually, raise your hand on Zoom. Written comments submitted before or during the meeting will be entered into the public record, but not read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org/public-meetings.

Exhibit A: Determination of Substantial Health and Safety Risk

The Board Chair has determined 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. Utah Code section 52-4-207(4) requires this determination and the facts upon which it is based, which include:

- Statewide COVID cases and hospitalizations remain high;
- Based on metrics established by the statewide COVID-9 Transmission Index, Summit County moved to the High Risk designation on October 22, 2020; and
- Park City is a resort community continually hosting visitors from areas which may be experiencing rapid COVID-19 spread.

This determination is valid for 30 days, and is set to expire on May 14, 2021

Dated: April 21, 2021

MEETING CALLED TO ORDER AT 5:30 PM.

1.ROLL CALL

2.MINUTES APPROVAL

- 2.A. Consideration to Approve the Planning Commission Meeting Minutes from April 14, 2021.
[PC Minutes 04.14.2021](#)

3.PUBLIC COMMUNICATIONS

4.STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5.WORK SESSION

- 5.A. 543 Park Avenue -- The Planning Commission Will Conduct a Work Session to Provide Input to the Applicant Regarding Their Proposed Conditional Use Permit to Convert the Washington School Inn, a Landmark Historic Structure on the Park City Historic Sites Inventory in the Historic Residential -- 1 Zoning District, from a Bed and Breakfast to a Minor Hotel with Accessory Facilities for Events.
[Staff Report](#)
[Exhibit A: Washington School House Historic Site Form](#)
[Exhibit B: 1983 CUP Application for a Bed & Breakfast](#)
[Exhibit C: 1983 Conditional Use Permit Approval Letter](#)
[Exhibit D: Applicant's 2020 Project Description](#)
[Exhibit E: November 5, 2001 Community Development Director Determination](#)
[Exhibit F: November 10, 2010 Planning Commission Approval for Outdoor Pool](#)
[Exhibit G: August 21, 2012 Planning Commission Conditional Use Permit Approval Letter](#)
[Exhibit H: June 24, 2015 Planning Commission Approval Letter to Relocate Laundry](#)
[Exhibit I: September 21, 1983 Conditional Use Permit Staff Report](#)
[Exhibit J: 1984 Parking Easement Agreement](#)
[Exhibit K: 1984 Non-Exclusive Agreement with Park City Municipal](#)
[Exhibit L: Hales Engineering Parking Study](#)
[Exhibit M: 2012 Historic Preservation Board Award to Washington School House](#)
- 5.B. The Planning Commission Will Conduct a Work Session on H.B. 82 Single-Family Housing Modifications, which establishes Internal Accessory Dwelling Units as an Allowed Use in Primarily Residential Zoning Districts as of October 1, 2021 and Provide Input regarding Land Management Code Amendments.
[Staff Report](#)
[H.B. 82 Single-Family Housing Modifications](#)

6.REGULAR AGENDA

- 6.A. 1660 & 1700 Three Kings Drive - Payday Condominiums – Plat Amendment – The Applicant is Requesting to Amend the Existing Plat to Rectify Inconsistencies and Clarify Developable Private Residential Space for Condominium Owners.
(A) Continuation
[Payday Condominiums Continuation](#)
- 6.B. 1060 Park Avenue – Plat Amendment – The Applicant Proposes Subdividing a 12,868-Square-Foot Lot in the Historic Residential Medium Zoning District into a 7,839-Square-Foot Lot Containing a Significant Historic Structure and a 5,029-Square-Foot-Lot. PL-21-04793

(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on May 13, 2021

Staff Report

Exhibit A: Draft Ordinance and Proposed Plat Amendment

Exhibit B: Existing Conditions

Exhibit C: 1060 Park Avenue Photos

Exhibit D: Applicant Statement

Exhibit E: Historic Sites Inventory Form

Exhibit F: Snyderville Basin Water Reclamation District Requirements

Exhibit G: Sanitary Sewer Easement - March 23, 2021

Exhibit H : 1060 Park Avenue Sewer Easement Legal Description

- 6.C. 1125 and 1129 Park Avenue – Plat Amendment – The Applicant Proposes Subdividing 1125 Park Avenue, a 5,462-Square-Foot Parcel in the Historic Residential – 1 Zoning District into a 2,875-Square-Foot Lot and a 2,587-Square-Foot Lot and Amending the Lot Line Between 1125 and 1129 Park Avenue. PL-21-04797

(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on May 13, 2021

Staff Report

Exhibit A: Draft Ordinance and Jupiter Moons Plat Amendment

Exhibit B: 1125 Park Avenue Historic Sites Inventory Form

Exhibit C: 1129 Park Avenue Historic Sites Inventory Form

Exhibit D: Applicant Statement

Exhibit E: Existing Conditions

7.ADJOURN

A majority of PLANNING COMMISSION members may meet socially after the meeting. If so, the location will be announced by the PLANNING COMMISSION Chair Person. City business will not be conducted.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org

***Parking validations will be provided for meeting attendees that park in the China Bridge parking structure.**

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
APRIL 14, 2021

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, John Kenworthy, Sarah Hall, Laura Suesser, Doug Thimm, Christin Van Dine

EX OFFICIO: Gretchen Milliken, Planning Director; Brendan Conboy, Planner; Alexandra Ananth, Planner; Rebecca Ward, Planner; Mark Harrington, City Attorney; Jessica Nelson, Planning Analyst

The Planning Commission meeting was conducted virtually via Zoom.

The public was able to submit eComments during the meeting.

NOTICE OF ELECTRONIC MEETING & HOW TO COMMENT VIRTUALLY:

Chair Phillips read the Public Notice for Electronic Meetings and Exhibit A: Determination of Substantial Health and Safety Risk.

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Exhibit A: Determination of Substantial Health and Safety Risk

The Commission Chair has determined 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. Utah Code section 52-4-207(4) requires this determination and the facts upon which it is based, which include:

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- Park City is a resort community continually hosting visitors from areas which may be experiencing rapid COVID-19 spread.

This determination is valid for 30 days and is set to expire on May 14, 2021.

Dated: April 14, 2021.

ROLL CALL

Chair Phillips called the meeting to order at 5:30 p.m. and noted that all Commissioners were present.

APPROVAL OF MINUTES

March 24, 2021

Commissioner Thimm referred to page 20, second to the last paragraph, and changed the word roofs to correctly read **roots**.

MOTION: Commissioner Thimm moved to APPROVE the Minutes of March 24, 2021 as amended. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

No hands were raised on Zoom and no eComments were submitted.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Milliken updated the Planning Commission on process for selecting a new Commissioner. She reported that the City Council was still discussing the candidates and no decision had been made. The City Council expects to make a decision at their meeting on April 29th.

Chair Phillips looked forward to having a new Planning Commissioner and he encouraged all the Commissioners to do whatever they can to help bring the new Commissioner up to speed.

Commissioner Thimm asked if the Staff could cull through all the work sessions concern the Park City Mountain Base Area and create one document for the new person to review. Director Milliken agreed with that idea and thought it could be done.

Commissioner Hall disclosed that she would be recusing herself from Agenda Item 5C.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

**5.A. 1660 & 1700 Three Kings Drive - Payday Condominiums – Plat Amendment
The Applicant is Requesting to Amend the Existing Plat to Rectify
Inconsistencies and Clarify Developable Private Residential Space for
Condominium Owners.**

Planner Brendan Conboy requested that the Planning Commission continue this item to April 28, 2021.

Chair Phillips opened the public hearing.

No eComments were submitted and no hands were raised on Zoom.

Chair Phillips closed the public hearing.

MOTION: Commissioner Van Dine moved to CONTINUE the Payday Condominiums amended plat to April 28, 2021. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

**5.B. 1049 Lowell Avenue - A Plat Amendment in the Historic Residential (HR-1)
Zone to Adjust the Lot Line Between Lots 2 and 3 of the Northstar
Subdivision under Common Ownership by the Applicant.**

Planner Conboy reported that the 1049 Lowell Avenue plat amendment came before the Planning Commission on March 10th and it was continued. At the last meeting the Planning Commission requested additional information from Staff and the applicant regarding a streetscape analysis. Planner Conboy presented the streetscape from the HDDR that was submitted on behalf of the applicant for the existing house and the new addition to the garage. The view was looking west from Lowell Avenue up the hill. Planner Conboy also presented a rendering of the proposed changes to the house for the new garage addition. He showed a view looking to the east across Lowell Avenue to the historic lots, which is a much denser streetscape.

Planner Conboy stated that the Staff had done an analysis of the existing average lot sizes in the neighborhood in general. The existing size for 1025 Lowell is .5 acres and .33 acres for 1049 Lowell. What was being proposed is a reduction of .10 for 1025 Lowell Avenue bringing it to .15 acres, and an increase for 1049 Lowell of .10 acres

bring it to .43 acres. Planner Conboy stated that in general, for the lots facing Lowell Avenue, the average lot size is .30. Therefore, the existing lots are fairly average. However, for the Northstar Subdivision in general, the average lots are approximately $\frac{1}{2}$ acre each. That number is inflated by the upper Hillside Lots, which are typically one acre each. Planner Conboy remarked that the lots on the east side are smaller historic 25'x75' lots, .05 acres. Both sides of the street together result in an average of .08 acres.

Planner Conboy noted that the Staff was comfortable with the adjusted lot because the adjusted lot is still 3-1/2 times the minimum required lot size of 1,875 square feet for the HR1 zone. The neighborhood in general has smaller lots, however, this would be a reduction in lot size for the Northstar subdivision.

Planner Conboy presented the site plan that was submitted for the HDDR review. A red circle shown was an approximation of where the deck is located to help orient the Commissioners. He noted that the deck will be right in the middle of the newly adjusted lot line. The Staff spoke with the Building Department and they are comfortable with the location because decks that cross lot lines are considered to be "temporary structures" in that they can be easily removed, as opposed to a building foundation. Planner Conboy stated that in talking with the Building Department, lots under common ownership do not require encroachment agreements or easements for temporary structures like decks. If or when the property is sold, the onus is on the landowner to either rip out the improvements or record an easement.

Planner Conboy stated that a condition of approval was added which would require the applicants to either put a note on the plat or to record an encroachment agreement prior to recording the plat. He noted that the applicant has stated their intent to record the encroachment agreement because it would be cleaner. The Staff supports that intent because it would show up in a title report if the property is ever sold.

Planner Conboy remarked that the existing garage that will be demolished currently encroaches into the hammerhead turnaround for fire vehicles. That improvement should have never been approved and the Staff will work with the applicant on the proposed retaining wall as part of the HDDR review process.

Planner Conboy noted that in the last meeting the Planning Commission asked for a better idea of how the lot was being adjusted. He presented a slide showing the adjusted lot, showing how a .10-acre sliver of land is added to Lot 2 and subtracted from Lot 3 creating a smaller lot than Lot 2.

Planner Conboy stated that upon further review, he believed the Staff's initial interpretation of the LMC was incorrect in terms of the building footprint. He clarified that when a lot reaches 18,750 square feet, the maximum allowable footprint is 4,500 square feet. By adjusting this lot line, Lot 2 will have a potential of 4,500 square feet max; however, the HR1 Zone and the LMC talks about any footprint over 3,500 square feet requires a conditional use permit. Planner Conboy reported that the current plan is to remove the 638 square foot existing garage and replace it with a 988 square foot attached garage and ski room, which will result in a total net of a 350 square foot addition overall to the existing footprint.

Planner Conboy noted that the Planning Commission had also asked for the potential buildout of these sites. He stated that based on what could be considered below grade garage that is included, as well as a second-floor addition recessed and setback, he estimated that the existing potential square footage could be somewhere around 6,000 square feet. With the adjusted lot line, it could potentially be 6,500 square feet of floor area. Planner Conboy clarified that anything above 3,500 square feet would require a CUP. As currently proposed, the maximum footprint is 3,465; however, it does not include the 400 square foot garage. Planner Conboy explained what when the lot size reaches 18,750 square feet, there is an automatic exemption of 400 square feet for a garage. Therefore, the actual total footprint would be 3,865 square feet. The current footprint is 3,550. Planner Conboy reiterated that while the lot size is larger, the actual addition only nets approximately 350 square feet.

Planner Conboy stated that the reduction in lot size was more significant for Lot 3. The lot size would decrease approximately 40% from 10,867 square feet down to 6,559. The allowable footprint is reduced approximately 700 square feet. The potential square footage that could be built on site as it exists now is estimated to be 5,500-6,000 square feet. Planner Conboy estimated that the house size would be reduced by 500-1000 square feet based on height restrictions, setbacks, etc.

Planner Conboy reviewed the conditions of approval that were added or deleted. At the last meeting the Planning Commission discussed the teepee and the Staff added conditions of approval to address the teepee and the deck. He noted that Condition #6 reiterates what is already included in the Code, and the Code enforcement measures already in place. In speaking with the Building Department, any tarp structure or tent that is less than 400 square feet does not require a building permit. Per the LMC, anything less than 30" from grade is not considered a structure. Planner Conboy stated that the Staff considers the teepee a temporary structure and the teepee itself cannot exceed 180 days within a 12-month period.

Planner Conboy reported that the Planning Department received notice from neighbors, particularly Mr. Grimes who lives next door, that the applicant has not been adhering to the 180 days limit. The added condition of approval clarifies that it will result in Code enforcement if the teepee is not taken down or a building permit is not obtained. The Staff opinion is that a building permit cannot be obtained for the teepee structure and it needs to adhere to the 180-day limit.

Planner Conboy stated that another added condition of approval states that the recorded driveway easement shall have language that clarifies it is for the benefit of Lot 2 and Lot 3.

Commissioner Suesser noted that the condition specifies "the recorded driveway easement". She understood that nothing has been recorded and the condition of approval requires a shared driveway easement for the benefit of Lots 2 and 3.

Commissioner Suesser referred to the encroachment agreement that was referenced in the last condition. She noted that it references any encroachment, and she believes the shared driveway is also an encroachment.

Planner Conboy stated that he spoke with the Engineering Department on whether they needed separate encroachment agreements for retaining walls, or whether they could just be contained within the easement itself. The Engineering Department preferred to have it contained in the easement itself for the retaining wall. Planner Conboy explained that the other additional encroachments mentioned in Condition #7 is basically the deck structure. The intent is to ensure that if the property is sold to a second party that those features are remedied.

Commissioner Suesser did not think that language was clear.

Planner Conboy stated that he received comment from Michael Kelly, the Northstar HOA President, and the neighboring property owner, that the Northstar subdivision HOA did not receive mailed notice. All the other properties did receive notice. The Staff relies on the applicant to provide the mailed notice list, which typically comes from the Title Company. In look at the GIS, the Staff was unable to find the HOA mailing address and they believe it was an oversight.

Planner Conboy reported that the second issue was access from Northstar. The Staff report mentioned the possibility that the lot could be accessed from Northstar; however, that appears to be a more complicated issue between the applicant, Mr. Larcher, and the Northstar HOA. Mr. Larcher had removed himself from the HOA in terms of paying dues and, therefore, has not been paying for the upkeep of that road. For that reason,

there was an understanding that he would not be able to access his property from Northstar. Planner Conboy emphasized that this was an issue between the Northstar HOA and the applicant.

Commissioner Suesser understood there were two driveway easements. Planner Conboy answered yes. There is the existing Northstar private road easement that was part of the original plat. There is also the driveway that Mr. Larcher added that was never formally included in any plat until now and the Staff was currently requesting that it be formally recorded. Commissioner Suesser thought Condition #5 needed to be reworked because none of the conditions of approval reference the other driveway easement. She did not think it was clear that the one in Condition #5 references the driveway easement that cuts across Lot 3.

Chair Phillips stated that until the presentation this evening, he was unaware that a 3500 square foot threshold triggers a CUP. He intended to review the other zones to know whether that only applies to the HR1 zone or to other zones as well. Chair Phillips asked how the Staff views that trigger on an addition versus a new application. He wanted to know if this would be viewed as a CUP when the applicant comes in for a building permit application.

Planner Conboy explained that the 400 square foot exemption for garage space puts them over the 3,500 square foot threshold. That 400 square feet is deducted from the total because the applicant should not be required to apply for a CUP on square footage that is exempt. Planner Conboy remarked that the current square footage without the garage is 3,465 square feet. If the applicant adds additional square footage in the future, it will trigger a CUP.

Chair Phillips asked for the total footprint allowance with the new lot line. Planner Conboy replied that the existing allowance is 2,950 square feet for a footprint. The adjusted lot would be 2,269 square feet. Chair Phillips clarified that he was talking about the larger lot. Planner Conboy stated that the existing footprint is 3,200 square feet. Once they hit the threshold of 18,750 square feet, they benefit from the 4,500 square foot maximum and get the 400 square foot garage exemption. If the lot is less than the maximum size, there is no garage exemption.

Commissioner Suesser asked if the applicant could build out 4900 square feet. Planner Conboy answered yes, including the exemption. However, anything above 3500 square feet requires a CUP.

Chair Phillips stated that if the lot line adjustment is to accommodate an addition, how far does the lot line need to be moved in order to resolve any issues and to allow the

addition. For example, are they moving it 20 feet if they only need to move it ten feet. Planner Conboy preferred to let the applicant speak to his question because they made a number of revisions to their plans. He explained that the latest revisions were filed as a modification of approval and it was not showing up. In the previous HDDR application a smaller addition was proposed; however, looking back at prior discussions with Staff regarding this process, the reasoning for the lot line adjustment was because the existing footprint is non-conforming, and the applicant could not do any addition because they were over their maximum footprint. In order to get rid of the garage and do a smaller 350 square foot addition, they would still need to adjust the lot line to meet the requirements. Planner Conboy stated that if the lot size was less than 18,750 square feet, they would see a significant reduction in the allowable footprint and there would not be the 400 square foot exemption for a garage.

Commissioner Suesser thought it was apparent that the applicant's goal is to hit that threshold and get the garage exemption in order to max out the space.

Chair Phillips opened the public hearing.

The following people raised their hand on Zoom to comment.

John Michael Kelly stated that he an attorney in Utah as well as President of the Northstar HOA. Mr. Kelly wanted to expand on Planner Conboy's comment for the record. He had not intended to participate in this meeting until he saw the Staff report because he believed the Northstar HOA has worked out the issues with the owner of Lots 2 and 3. However, he wanted the record clear that there is no available access to Northstar Drive. Mr. Kelly stated that a number of years ago, Lots 1, 2 and 3 of the Northstar subdivision, of which Lots 1, 2 and 3 are still part of, were allowed to withdraw from the Homeowners Association because they were not using Northstar Drive, and it did not make sense for them to pay dues for the upkeep, which is required of the HOA. Mr. Kelly explained that even though it is a public road, an agreement with the City requires the Association to take care of the road. They allowed the owner to be removed from the Association; however, it is not explicit in the recorded agreement but there was an understanding that those two lots would never be able to access Northstar Drive. Mr. Kelly remarked that with this change and the driveway bisecting both lots, there is a potential in the future that the smaller lot could be sold, and that owner would want to access Northstar avoiding hundreds of thousands of dollars in past dues and assessments for upkeeping Northstar, and that would not be fair. Mr. Kelly clarified that he was not there to take a position on the lot line. He was there because the HOA believes there is an understanding that will be further documented by agreement of the parties and recorded, that there is no access by Lot 2 or Lot 3 to Northstar Drive because they are not members of the Association and they are not required to get

approval of the Association for their house. Therefore, they cannot access Northstar Drive.

Michael Grime appreciated all the efforts by the City Staff. He listened to the last meeting and this meeting and a lot of the questions were answered. Mr. Grime appreciated Chair Phillips' question about how large the lot needs to be and the applicant's agenda for the square footage. Mr. Grime would like the new owner to abide by the rules. The teepee has been up for years even though it should only be up for 180 days each year, but he would leave that issue to the City Staff. Mr. Grime stated that he and others want to be good neighbors. They abide by the Code and the rules and they expect the same of their neighbors. Mr. Grime thought it was disappointing to see the lot become smaller, but after doing the math and seeing the size of the house that could be built on the property, he was comfortable with the reduction. He only asked that the teepee be addressed and whatever penalties are in place should be enforced. It is an eyesore and not in keeping with Old Town, but if the applicant has the right to have a temporary structure up for 180 days, they will accept that rule.

Chair Phillips closed the public hearing.

Chair Phillips stated that knowing the teepee has been up for over 180 days, he suggested adding a condition that prior to plat recordation that the teepee is taken down for the proper amount of time just to show that the applicant is serious about conforming, as opposed to starting 180 days from now.

Chair Phillips also suggested adding a condition of approval stating that there is no access to Lot 2 and Lot 3 from Northstar Drive.

Chair Phillips stated that he is not a fan of creating a lot within a subdivision that will be the smallest lot. He would have liked to see the overall subdivision layout, but it is not necessary. Chair Phillips assumed this plat amendment would create the smallest lot and possibly the biggest lot next to it. In general, the Planning Commission does a lot of plat amendments and most of the time it is to clean up lot lines and different issues. He noted that the Planning Commission compiled a list of issues for discussions and one of the items is how to treat these plat amendments. He would not hold this applicant to a future discussion, but he would like to look at the process and how other municipalities handle plat amendments. Chair Phillips stated that in this one situation, he felt that reducing the lot by 40% and having a driveway intersect at the bottom would negatively impact the neighbor.

Planner Conboy pulled up the Northstar Subdivision. Chair Phillips thought it confirmed that this plat amendment would create an "oddball" in this neighborhood. He clarified

that he was not opposed to moving forward on this plat amendment, but this was another reason for having a broader discussion on overall policy. Planner Conboy pointed out that there is some precedent in the Northstar Subdivision for lot splits.

Commissioner Suesser asked Planner Conboy to clarify whether or not there is access to Lot 3 off of Northstar Drive. She understood from the HOA President that there is not access. She asked if there was something in writing specifically saying that there is no access from Northstar to Lot 3. Planner Conboy did not believe it says that explicitly, but the understanding at the time Mr. Larcher removed himself from the HOA was that Mr. Larcher was abdicating his right to take access from Northstar. Planner Conboy was comfortable adding conditions to clarify that access is not allowed.

Commissioner Suesser stated that if they add a condition stating that the applicant will record a shared driveway easement for the benefit of Lot 2 and 3, and that the driveway easement includes the retaining wall, she believed that would give Lot 3 access. Currently, without access to Northstar the only access for Lot 3 is to go over Lot 2.

Commissioner Thimm asked whether Northstar Drive was a private drive or a public right-of-way. Commissioner Suesser replied that it is private. Commissioner Thimm questioned whether the Planning Commission should be placing conditions on a private drive or whether it should be private business between property owners.

City Attorney Harrington thought this was similar to the Deer Valley Loop situation where the lots in question that were being replatted were bisecting two potential points of access. In that case, private rights were being proposed below and the public access was from above, and the Planning Commission determined which units could be accessed where based on the cuts, safety, and steepness. Mr. Harrington clarified that the Planning Commission has the ability to determine the appropriate location of the drive. He proposed that any condition of approval be worded similarly as opposed to saying what can or cannot be used for access. Mr. Harrington suggested, "The proposed access to Lot 2 and 3 is from the existing private driveway, which shall be memorialized by a recorded easement prior to plat recordation for the benefit of Lots 2 and 3". They could also add, "No access shall be from Northstar Drive without further plat amendment" if they want to clarify that no access is allowed to be cut in from above without further action by the Planning Commission.

Commissioner Thimm stated that his preference would be not to mention a private drive. He preferred to say, "Access to both Lot 2 and Lot 3 shall be off of Lowell Avenue". City Attorney Harrington replied that the only concern is that the existing driveway easement is for both lots and that is not currently recorded. Commissioner Thimm clarified that he wanted that to stay in place. His intent is only to say they expect

access off the public right-of-way. If an easement is necessary to accomplish that, he agreed completely with Commissioner Suesser on that point. Mr. Harrington understood that it would need to be memorialized for Lot 2.

Commissioner Thimm noted that Chair Phillips mentioned that the teepee has been up for over 180 days, and that the applicant needs to follow the rules and the time clock should start from the date it was erected. Commissioner Thimm also noted that Chair Phillips said that the teepee needs to be down for an appropriate amount of time. He asked for clarification on "appropriate amount of time". Planner Conboy stated that it is 180 days within a 12-month period. The owner could not take it down for a day and put it back up for another 180 days. They would need to wait 6 months before putting it up again. Commissioner Thimm clarified that the teepee has already been up for 180 days within a 365-day period.

Chair Phillips stated that the Planning Commission specifically worked on adjusting those codes a few years ago.

Commissioner Thimm was comfortable with the proposed changes to the conditions of approval.

Jessica Nelson noted that the public hearing was closed; however, a hand was raised on Zoom.

Chair Phillips re-opened the public hearing.

Mike Kelly, President of the Northstar HOA, felt a clarification was necessary regarding Northstar. He explained that Northstar is a hybrid. When the subdivision was originally created, the developer developed it as a private road. Thereafter, there was an agreement, which is recorded in Summit County, between the subdivision and Park City providing that it shall be a public road, but that it shall be maintained by the Northstar Homeowners Association. Mr. Kelly explained that it is a quasi-public road, and he had no doubt that the Planning Commission has the power to limit access.

Chair Phillips closed the public hearing.

Planner Conboy pulled up the conditions as currently drafted for the Commissioners to review.

Commissioner Kenworthy supported the conditions as amended and discussed.

Commissioner Suesser asked if they record the shared driveway easement for the benefit of both Lots 2 and 3 whether additional language would be necessary to address the encroachment if a potential purchaser buys the lot. City Attorney Harrington stated that any modification to Condition #5 should just say, "...in a form approved by the City Engineer and City Attorney". He understood from the presentation that the City Engineer wanted certain elements of the retaining wall included in that easement. Adding that language indicates that it is all inclusive in the one easement.

Commissioner Suesser asked if there is an existing private easement for access to Lot 2 from the other direction, or whether going through this process also puts that easement in place. She thought part of this application was to put the other easement in place that should have been recorded in the past. Planner Conboy understood that Lot 2 has always fronted Lowell Avenue, and he thought it was assumed that access could be taken from Lowell. Commissioner Suesser clarified that Lot 3 is the new smaller lot and Lot 2 is the house. Lot 2 has access from another shared easement going north. She asked if that was part of the title of this property and whether they need to include that easement as part of the conditions. She recalled from the last meeting that it was part of this application.

City Attorney Harrington clarified that Commissioner Suesser was asking if there is an existing easement going north over Lot 1 or whether that needs to be addressed with this application. Planner Conboy replied that the easement extends across Lot 1 into Lot 2. Mr. Harrington noted that it says "access easement" on the map and he assumed it was on the replat for Lot 1 and 1A when the lot was split. He pointed out that they were looking at an existing conditions survey that references an easement that currently terminates at Lot 2. The condition of approval would be a new easement that either extends across Lot 3 reconnecting with Lowell or is independent of Lots 2 and 3. Mr. Harrington believed that would be a Building and Fire Department determination. Planner Conboy noted that it has been identified by the applicant as a private driveway easement that connects with the other easement but not for the benefit of Lot 1.

Commissioner Suesser reiterated her understanding that this application included a need to reflect the other access as part of this application. She asked if she was mistaken. Planner Conboy explained that the City Engineer wanted the driveway shown on the plat as an easement because it was never recorded, and it was approved across lot lines. He noted that the Assistant City Engineer had said it would improve fire access for a thru-way in that situation. Planner Conboy believed the City Engineer wanted the easement recorded for that reason. Commissioner Suesser noted that it would give Lots 1 and 1A access over Lots 3 and 2. She did not believe that was the actual intention because there is a big gate between Lots 1A and Lot 2.

Karen Beckstrom, representing the applicant, was not able to answer their question because it was before her time. She understood that Mr. Larcher had planned to attend the meeting and present additional information and she was surprised that he was not on the line.

Chair Phillips suggested that the Commissioners take the time to resolve the issues through Findings of Fact and Conditions of Approval in order to forward a positive recommendation to the City Council. He also suggested that this item could be continued if the Commissioners were not comfortable drafting modified conditions this evening. They could direct the Staff to draft the findings and conditions per their discussion this evening and come back with the revisions for review and a vote.

Commissioner Thimm believed the Planning Commission could end up wordsmithing the revisions at the next meeting. He preferred to work on it this evening while it was fresh on their minds. Commissioner Thimm proposed an additional Condition #8 stating that "Access to Lots 2 and 3 shall be only from Lowell Avenue".

Commissioner Suesser thought Chair Phillips raised some interesting issues when he talked about increasing the size of the lot, and whether it would create a remnant lot by significantly decreasing the existing Lot 3. She requested discussion on that issue. Commissioner Suesser thought it was clear that the applicant was expanding to capture maximum buildout. Chair Phillips stated that he was more concerned with creating a remnant lot than he was with the size of the new home. Commissioner Suesser believed that was a reasonable concern.

Commissioner Thimm asked to see the subdivision plat to look at the lot sizes. He noted that Lots 1 and 1A are .23 acres and .22 acres. The acreage of Lot 3, which is the smaller lot, will be .15 acres. Chair Phillips pointed out that Lot 3 will be significantly less than the average lot. Commissioner Suesser pointed out that the lots across the street are typical smaller Old Town lots. However, Lot 3 is significantly smaller than the lots north and south of Lot 3.

Chair Phillips asked if the applicant needs the full amount to achieve what they want. He suggested increasing Lot 3 to at least .2 acres to give the lot more flexibility. Beyond this application, Chair Phillips questioned the City's policy on giving lot line adjustments for the purpose of accommodating a larger home. Chair Phillips was comfortable moving forward with this lot line adjustment even though he did not particularly like it, because they cannot deny this applicant when they approved similar requests for past applicants.

Commissioner Suesser pointed out that lot line adjustments are generally clean up and not to build a larger home.

Commissioner Thimm stated that neighborhoods extend beyond a subdivision plat line. There are smaller lots on the other side of Lowell, and even though this plat amendment would reduce the lot size, it can still yield a 4,500-5,000 square foot home. Commissioner Thimm was not bothered by the lot size. Commissioner Suesser asked if increasing the home lot bothered Commissioner Thimm. Commissioner Thimm answered no because some lots in the subdivision are larger.

Commissioner Hall agreed with Commission Thimm due to the makeup of the subdivision. Commissioner Van Dine agreed with moving forward on this application. However, she also agreed with Chair Phillips on the importance of having a policy discussion before they see other applications to make sure this does not continue to occur all over town.

Commissioner Kenworthy agreed with the other Commissioners. He did not think the diminished lot restricts the design and the home can easily be compatible with others on the west side of the street. Commissioner Kenworthy was concerned about the easement and suggested that the Building Department, the City Engineer, and the Fire Department draft the easement language in the way they want to address the easement.

Chair Phillips pointed out that the Planning Commission was forwarding a recommendation to the City Council, which gives the Planning Staff the opportunity to take it to the other departments before going to the City Council.

Commissioner Suesser referred to Condition #8 as proposed by Commissioner Thimm and questioned whether it was an accurate statement because there is no direct access to Lowell. Commissioner Thimm stated that he would be open to changing the language to "via Lowell Avenue or via an access easement off of Lowell Avenue".

Commissioner Suesser revised Condition #5 to read, "A shared driveway easement for the benefit of Lots 2 and 3 shall be recorded for the driveway and the retaining wall that crosses Lot 3 prior to recordation of the plat, in a form approved by the City Engineer and City Attorney".

Chair Phillips referred to his earlier about taking down the teepee, but he did not believe it was appropriate or necessary to have language regarding the teepee in the conditions for the plat. However, he thought the owners should understand that they are currently not complying with the City Codes. It is understandable if they were previously unaware

of the Code, but they should now take steps to take it down. Commissioner Kenworthy agreed that everyone should follow the same rules and honor the neighbors.

Commissioner Suesser disagreed with Chair Phillips. She thought the approval should be conditioned on removing the teepee and that a condition of approval was appropriate.

Commissioner Thimm stated that his first thought is to have a Finding of Fact indicating that it was noted that the teepee has already been in place beyond 180 days. Based upon that finding of fact, they could add a sentence to condition of approval #6, "The teepee shall be removed prior to recordation of the new plat".

Commissioner Hall agreed with Commissioner Suesser about adding language to Condition #6 regarding the teepee. Chair Phillips noted that it is called a tent or tarpaulin in Condition #6 and he thought the term should be consistent. Planner Conboy stated that "tent or tarpaulin" comes from the International Fire Code where it talks about a tent or tarpaulin structure.

City Attorney Harrington stated that they could leave the Finding of Fact as written because it is a teepee and begin the existing Condition #6 with the proposed condition that "The existing teepee shall be removed prior to plat recordation". Continue the remainder of the condition as written and add the word "future" to the first sentence to read, "The applicant shall limit any future tent or tarpaulin structure...."

David Larcher, the applicant, stated that he was more than willing to comply with the Code relative to the teepee. As he indicated at the last meeting, he was not aware of the 180-day limit. Mr. Larcher explained that his wife is part Cherokee and they simply put it up as homage to her heritage. They were not opposed to complying with the ordinance. Chair Phillips requested that Mr. Larcher remove the teepee now since it has been up for more than 180 days. Mr. Larcher stated that his intent is take it down and keep it down for close to two years while he is under construction.

The Commissioners were comfortable with the conditions as proposed and revised this evening. Chair Phillips asked Planner Conboy to have the City Engineer and the City Attorney review the language before taking it to the City Council.

MOTION: Commissioner Suesser moved to forward a POSITIVE recommendation to the City Council for the 1049 Lowell Avenue plat amendment adjusting the lot line between Lots 2 and 3, based on the amended Findings of Fact, Conclusions of Law, and Conditions of Approval. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1049 Lowell Avenue

1. The subject properties are located at 1049 and 1025 Lowell Avenue.
2. The subject properties consist of Lot 2 and Lot 3 of the Northstar Subdivision.
3. The property is in the Historic Residential (HR-1) District.
4. 1049 Lowell Avenue contains an existing Detached Single-Family Dwelling. 1025 Lowell Avenue is vacant land.
5. The applicant proposes to adjust the Interior Lot Line of the subject Lots.
6. The proposed Lot Adjustment meets the Lot and Site Requirement of the Land Management Code.
7. The applicant has submitted an application for Historic District Design Review, which will be processed should the Plat be approved.
8. The applicant will be subject to the Design Guidelines for Park City's Historic Districts.
9. No public Streets, Right-of-Way, or easements will be vacated or amended as a result of the proposed Plat Amendment.

Conclusions of Law – 1049 Lowell Avenue

1. There is good cause for this Plat Amendment as it allows the applicant to construct a remodel and addition to their home. Any addition to the home will be subject to the requirements of the LMC and Historic District Design Review approval.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 1049 Lowell Avenue

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the Plat for compliance with State law, the Land Management Code, and the Conditions of Approval, prior to recordation of the Plat.
2. The applicant will record the Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the Plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. New construction shall meet Site and Lot requirements of the HR-1 District per the

Land Management Code in effect at the time of application submittal.

4. A Historic District Design Review application is required for any new construction proposed at the Site.

5. A shared driveway easement for the benefit of Lots 2 and 3 shall be recorded for the driveway and the retaining wall that crosses Lot 3 and shall be reviewed and approved by the City Engineer and City Attorney prior to recordation of the plat.

6. The existing teepee shall be removed prior to plat recordation. The applicant shall limit any future tent or tarpaulin structure less than 400 square feet erected on site to a maximum of 180 days within a 12-month period. Should the applicant desire to exceed the 180 day limit a Building Permit will be required. Failure to adhere to these terms will result in code enforcement.

7. The applicant shall include a plat note stating that any encroachments onto Lot 3 for the benefit of Lot 2 shall be removed from the site prior to dispossession or sale of the property to a second party or the applicant shall otherwise record encroachment agreements prior to the recordation of the plat with Summit County.

8. Access to Lots 2 and 3 shall be only from Lowell Avenue or an easement off of Lowell Avenue.

5.C. 2750 Meadow Creek Drive – Plat Amendment – The Applicant is Requesting to Remove Plat Notes #3 and #4 from the Lot 2 Willow Ranch Replat Subdivision Plat, and to Replace Them With a Plat Note that Allows for the Combined Square Footage to Remain the Same (9,800 square feet) but Not Be Fixed Between the Barn and the House.
(Application PL-21-04770)

Commissioner Hall recused herself and logged out of Zoom.

Planner Ananth reviewed the application for a plat amendment for Lot 2, Willow Ranch. She noted that this was a plat amendment to allow for changes to the existing plat notes. No lot lines were being changed.

Planner Ananth reported that Lot 2 is a seven-acre site in the Willow Ranch subdivision and zoned Estate. The lot is improved with a single-family residence. The lot has a maximum house and barn size as noted in the plat notes and CC&Rs. The applicant was requesting to move square footage from the house to the barn but stay within the original total square footage allowed on the lot, as well as the building envelope shown on the plat.

Planner Ananth presented a slide showing the original subdivision as approved in 1993 with Lot 2, the subject property, outlined. She stated that the original plat limited the home size to 8,000 square feet and the barn to 1800 square feet. The height of both structures is limited to the zone height of 28'.

Planner Ananth reported that under a previous owner in 1999, this lot was replated and the replat approved the allocation of 1300 square feet of barn area to the home, and it limited the height of the barn. The house was allowed to increase to 9300 square feet and the barn was restricted from the 1800 square feet to 500 square feet. Planner Ananth assumed that because the footprint was much smaller, the height was also reduced to 18'.

Planner Ananth stated that the applicant was now proposing to move square footage from the house back to the barn and remain within the original 9800 square feet and within the building envelope shown on the plat, but not have the square footage fixed between the two structures. The applicant was not exactly sure how large they would like the barn to be, but it would be within the 1800 square feet maximum allowed. Planner Ananth clarified that it would be within the envelope allowed. It would not be fixed as a plat note this evening, other than the total square footage of the two being limited to 9800 square feet.

Chair Phillips asked if it was safe to assume that this was basically reverting back to the original plat. Planner Ananth answered yes. Chair Phillips asked if it would be safe to say that the 500 square foot barn is actually just a shed. Planner Ananth replied that it was more like a generous single-car garage.

The Staff found good cause for this plat amendment because it was consistent with the total square footage allowed on the lot between the home and the barn. It will allow the applicant to allocate some square footage from the house to the barn consistent with the original 1993 approval. The barn will not exceed 1800 square feet and will be constructed within the building envelope.

Planner Ananth reported on a change to one of the recommended conditions of approval in the draft ordinance. Going back to the original language from 1993, Condition #18 would read, "The building heights of the home and barn are limited to 23' to the mid-point, and 28' to the peak of the roof". She emphasized that it is what was originally allowed and what is allowed in the zone.

Planner Ananth stated that she was not proposing changes to Conditions 21 and 22; however, she wanted to note that the total square footage is conditioned, and the maximum barn square footage is conditioned as well.

Commissioner Suesser asked if the applicant could build a 9800 square foot home. Planner Ananth clarified that Commissioner Suesser was asking what the applicant could do under what the proposed condition reads. Planner Suesser answered yes. Planner Ananth stated that the applicant could have a 9800 square foot home if it can fit within the building envelope and they did not have a barn.

City Attorney Harrington understood there was a prior limitation on the house size that still continued to apply. Commissioner Suesser thought they could limit the size to 8,000 square feet; however, Planner Ananth had said the applicant was not sure whether they wanted to put more in the house and less in the barn or whether they wanted to revert to the 8,000/1800 split.

Planner Ananth stated that the original 1993 plat allowed for an 8,000 square foot house. The 1999 replat allowed for a maximum home size of 9300 square feet. She suggested limiting the home size to 9300 square feet, which would be consistent with the 1999 replat. Planner Ananth explained that they would be limiting the home size to 9300 square feet whether or not they have a barn. Commissioner Suesser clarified that the total for the barn and the house was 9800 square feet. Planner Ananth answered yes.

City Attorney Harrington stated that the from the original plat still remains in place and limits the home square footage to a maximum of 9300 square feet. Planner Ananth agreed that it was a condition of the current recorded plat. She stated that condition of approval #17 in the draft ordinance reads, "The home square footage is limited to a maximum of 9300 square feet". Commissioner Thimm pointed out that in that circumstance it would revert back to a maximum 500 square foot barn. Mr. Harrington stated that the applicant would have flexibility, but the limitations on each structure from the original approval would still be in place. The applicant was reverting to have the maximum flexibility and clarifying that they still have the garage exemption. Commissioner Thimm thought the biggest difference was the change in building height.

Commissioner Van Dine noted that the draft ordinance did not reflect that change in Condition #18. Planner Ananth agreed, which is why she revised Condition #18 at the beginning of her presentation.

Chair Phillips opened the public hearing.

The following people raised their hand on Zoom to comment.

Roxanne Googin asked if the Planning Commission could wait to make a decision until they know what the split will be between the two buildings. She thought it was too vague because it could be between 500 and 1500 square feet. Ms. Googin remarked that it goes back to the roof line. The roof line is supposed to be one height at 500 square feet and up to 28' at the larger footprint average, but what is the roof height if it is in the middle.

Planner Ananth understood what Ms. Googin was saying, and it could have been the case under the original plat because the original plat did not limit the height in relation to the footprint.

Ms. Googin asked if the 500 square foot building could have been 28' tall under the original plat. Planner Ananth answered yes.

Chair Phillips thought Ms. Googin made a good point, and the Planning Commission would consider it in their discussion.

Ms. Googin stated that the two are related and she thought the applicant should think more about what they actually want to do. If the height is involved the Commissioners will know what they are talking about.

Michael Watts commented on the 18'-20' height. He was a homeowner at the time these deals were made and the trade-off for having a bigger house was to reduce the height to 18'. If they go back, they still end up with a big house and a tall barn. He was fine with moving square footage from one structure to the other but having a bigger house and going to a 28' height is contrary to the idea of why they were allowed a bigger house in the beginning.

Mr. Watts stated that under the existing plat, regardless of the square footage the owner would need to build the structure at 18' high, which is what the adjacent homeowners expected to see. Mr. Watts thought it was viable to build a structure in that area and keep the height at 18' rather than 28' because they have a 3600 square foot footprint to work with.

Mr. Watts questioned the purpose and intent of the structure. From a wildland fire standpoint, he was curious as to whether there should be restrictions and a requirement for fire sprinklers. If the structure is a barn, will they be parking tractors, cars, etc. because fires historically start in garages. He suggested a possible condition to address that issue. Mr. Watts noted that the findings of fact talk about a variety of accessory buildings that could be put on this property if approved by the Park City Municipal Corp. He asked for clarification in this plat because the home site has a

17,000 square foot limit for the building and the area around it. However, the building pad for the house is 17,000 square feet, but the disturbed area is more like 100,000 square feet. It was incredibly above the disturbed area being 17,000 square feet. Mr. Watts stated that the location of the accessory building per the HOA is listed as being in the house as a housekeeper type scenario. He wanted to make sure it does not get extended into the barn and whatever else might come with doing that. Mr. Watts noted that the original plat in 1993 said 14,000 square feet and in the revised plat it was increased to 17,000 square feet. The house itself on the building pad is already at 17,000 square feet, without the barn and all the property area.

Mr. Watts requested that the Planning Commission incorporate his comments into their discussion to see if other things should be part of this plat amendment.

Chair Phillips closed the public hearing.

Commissioner Suesser appreciated Planner Ananth's response to the suggestion that the increased height may not be appropriate depending on the size of the barn and the house. She asked Planner Ananth to address the concerns and how the Planning Commission can navigate it to align with the original approval but with some flexibility.

Planner Ananth thought a 28' tall, 500 square foot structure would be awkward. Chair Phillips clarified that it was 500 square feet and not a 500 footprint. Planner Ananth replied that he was correct. Chair Phillips remarked that the size regulates itself. Planner Ananth understood that the applicant intends to match the pitch of the roof on the barn to the house, which would limit the height. She thought that would be an appropriate condition on the structure. They could ask if the applicant was willing to agree to a height limit.

Commissioner Suesser asked Planner Ananth to expand how the condition would read. Planner Ananth stated "The pitch of the barn roof shall match the pitch of the house."

Christopher Hall, the applicant, stated that approximately 500 square feet can be taken out of the house and the house will be smaller by that amount. The barn area would be expanded to 1,000 square feet for tractor storage and other things. Mr. Hall commented on the height and roof lines. He stated that an 18' roof works on a 500 square foot shed and as it gets bigger it does not work. Mr. Hall remarked that the CC&Rs require that the barn roof line must be substantially similar to the house roof, which has a fairly steep pitch. He noted that the house has a lot of dormers and different architectural rooflines and they need the extra square footage and height to make everything match. The intent is to have the flexibility to make it look better than just a four-sided building with a standard shed roof. Mr. Hall reiterated that the house is limited to 9300 square

feet and approximately 500 square feet will come out of that square footage. Mr. Hall stated that they want flexibility because they are planning to do a remodel and they will not know anything for sure until they actually do it. He pointed out that they cannot pull a barn permit until they finish the house remodel and certify the exact square footage that is taken out of the house. At that point they would know what they are allowed to do on the barn. Mr. Hall agreed that a 28' roof would not be appropriate even on a 1,000 square foot barn. He assumed the roof would be in the 22' range and look appropriately sized.

Chair Phillips stated that allowing flexibility takes it back in keeping with the original plat. He personally could not find any negatives in allowing this request.

Commissioner Thimm stated that in terms of having flexibility in design the Planning Commission should allow for a range or a sliding scale as suggested. To ask someone to go to the expense of designing a remodel and a barn and then come before the Planning Commission would be unfair if the plans are not allowed. Commissioner Thimm was not opposed to the additional height because certain proportions happen as they deal with the square footage. He noted that increased height would not increase the intensity of use or other impacts. Commissioner Thimm was comfortable with this proposal.

Commissioner Suesser asked about the excluded 600 square feet of attached garage space in Condition #21 and when it gets triggered. Planner Ananth replied that in the Estate Zone, no matter the size of the home, the first 600 square feet of attached home garage space is not included in the square footage calculation of the overall house size. Chair Phillips stated that it was a standard rule that was captured in the condition language. He asked if it was redundancy. Planner Ananth stated that because there were multiple amendments, she carried this condition forward at the suggestion of the Legal Department. Commissioner Thimm thought it was a wise suggestion because if it is not limited in that way, they could potentially end up with a garage much larger than 600 square feet. Chair Phillips also understood that it was within the overlaying zone.

Commissioner Suesser asked Planner Ananth about her suggestion of adding a condition that the rooflines of the house and the barn match. Planner Ananth replied that after giving it more thought, the condition should read, "The pitch of the barn roof shall be similar to the predominant pitch of the home roof".

Planner Ananth clarified that she was amending Condition #18 to take out the barn height being allowed to 28'; and adding a new condition that the pitch of the barn roof shall be similar to the predominant pitch of the home roof. She pointed out that it would need to comply with the overall zone height.

Commissioner Thimm asked if they should limit the height of the barn roof. Chair Phillips thought it was limited by the zone. Commissioner Thimm clarified that he was referring to the 23' mid-point height and a 28' ridge.

Christopher Hall stated that the CC&Rs already address the height. He was concerned about having wording in the plat amendment that contradicts the CC&Rs. He was not opposed to having some restriction on roof design, but he wanted to look at the CC&R language for consistency. They could either mirror the language to let the CC&Rs dictate.

Chair Phillips explained that the City documents are separate from CC&Rs, and the homeowner needs to work within both sets of restrictions. However, if Mr. Hall could find the CC&R language it might help the Planning Commission. Mr. Hall offered to find the exact CC&R language while they continued their discussion.

Planner Ananth stated that between this meeting and the City Council review, she could ensure that the conditions match the CC&Rs or at least not contradict them.

Chair Phillips was not familiar with the 23' mid-point and asked if it was specific to the Estate Zone. Planner Ananth replied that it was unique to this plat. The code for the Estate Zone only states that no structure shall be erected to a height greater than 28' from existing grade.

Commissioners Kenworthy and Van Dine were comfortable with the application.

Mr. Hall thought the condition language drafted by Planner Ananth was acceptable. Chair Phillips clarified that Planner Ananth would follow up before the City Council meeting to make sure the condition language is not contradictory to the CC&Rs.

Commissioner Suesser asked if they should put a height limit on the barn. Chair Phillips assumed the other lots were still under the original plats, which puts this application in line with those except for allowing some flexibility. Mr. Hall pointed out that the other lots are zoned with 28' barns. The adjacent neighbor has a 24' barn. He believed 28' fits with the neighborhood. Planner Ananth provided an aerial of the lot showing the barn structure on the adjacent lot that appeared to be taller than 18'. The applicant spoke with the homeowner and he did not remember the height of his barn; however, he definitely thought it was closer to the maximum allowance.

A hand was raised on Zoom and Chair Phillips reopened the public hearing.

Mike Watts stated that the request for the change from 18' to 28' basically occurred today and was not part of the information that was available. In conversations with other owners, he questioned whether this should be held off until the next meeting so the adjacent owners can be made aware of the change. The only way they would have known about the change from 18-28' would be if they listened in on this meeting.

Planner Ananth replied that Mr. Watts was correct. The allowance of a barn up to 28' feet was not part of the Staff report. However, it would still be consistent with the underlying CC&Rs and the adjacent residents, which is part of the subdivision.

Commissioner Suesser asked if the notice to the neighboring properties specifically stated that this was an amendment to change the square footage. Planner Ananth was certain the notice did not talk about building height. Planner Ananth read the notice "Remove Plat Notes 3 and 4 from the Lot 2 Willow Ranch replat and replace them with a note that allows for the total combined square footage to remain the same but not be fixed between the house and the barn". She noted that the notice was fixated more on total square footage than height.

Chair Phillips noted that the public would have another opportunity to comment at the City Council level. He believed the project was properly noticed as a whole. Things consistently get changed as part of this process and changes can be made during a meeting. Chair Phillips was comfortable moving forward knowing that this would be reviewed by the City Council and the public has the ability to comment at that time.

Commissioner Van Dine did not believe that continuing to the next meeting would change the outcome. Commissioner Suesser concurred, noting that the Planning Commission was not granting a height exception. The height range was still within the zone regulations.

City Attorney Harrington suggested that once Planner Ananth finalizes the proposed redlines to the conditions of approval she could forward the revised redlines to the HOA. It would give Mr. Watts and others the opportunity to review it and provide additional comment at the City Council public hearing if necessary.

Planner Ananth clarified that based on the discussion this evening they were adding a new Condition of Approval #18 that limits the height to be similar to the predominant pitch of the home roof and not exceed the zone height of 28 feet.

Commissioner Suesser wanted to know what triggered a plat note rather than a condition of approval. City Attorney Harrington stated that they typically do plat notes that are distinguished from existing Code or other existing conditions of approval. Plat

notes can be more difficult to amend and have an intentional permanence. Since they are mirroring the zone height, he recommended a condition of approval in case there is a zoning amendment. Mr. Harrington stated that it is also a place of where they think a subsequent owner shall have notice. If there is a need for additional notice it should be on the plat for clarity.

Commissioner Thimm asked if they were also removing Plat Notes 3 and 4. Planner Ananth stated that they were replacing the current plat with a new amended plat. They were not actually removing those plat notes. They are recording a whole new plat. The 1999 plat will be superseded by the new plat amendment. Commissioner Thimm understood they were recommending approval of the new plat notes in this amended plat and adding a new Condition of Approval #18. City Attorney Harrington explained that they were adding Condition #19 to the existing conditions of approval that were restated for purposes of clarity.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for 2750 Meadow Creek Drive, Willow Branch Subdivision Plat Amendment and adding a new Condition of Approval #18 to the conditions outlined in the April 21, 2021 Staff report for City Council consideration on April 29, 2021. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously. Commissioner Hall was recused.

Findings of Fact – 2750 Meadow Creek Road

1. The property is part of the Willow Ranch Subdivision.
2. The lot is just over 7-acres and is improved with a single-family residence.
3. The lot is considered an equestrian lot and has a maximum house and barn size as noted in the CC&R's and 1999 Plat Notes.
4. The applicant is proposing to move square footage from the house to the barn but stay within the total square feet allocated to the lot (9,800 square feet), as well as within the building envelopes for the barn and the house.
5. The applicant is also proposing that the barn height revert back to the allowed Zone Height of 28 feet, which is consistent with the original 1993 Subdivision Plat and CC&Rs.
6. The Willow Ranch Subdivision was originally recorded in 1993.
7. 1993 Plat Notes indicate that Home square footage is limited to 8,000 square feet and Barns are limited to a maximum of 1,800 square feet with no human occupancy. Building envelope areas and maximum square footage are noted on the Plat.
8. In 1999, the prior owners of Lot 2 were approved for a Plat Amendment to reallocate 1,300 square feet of barn area to the home. Plat Note #3 limits the home square

footage to a maximum of 9,300 square feet, Plat Note #4 limits the barn to 500 square feet. Plat Note #5 limits the barn height to 18 feet.

9. The applicant proposes to amend Plat Notes #3 and #4 and replace them with a footnote that allows for the combined total square footage to remain the same (9,800 square feet) but not be fixed between the house and the barn.

10. The applicant also proposes to delete Plat Note #5 and revert back to the originally allowed maximum Building Height of 28 feet for the barn.

11. The applicant submitted a letter from the Willow Ranch HOA stating that the HOA voted to approve the applicant's application.

Conclusions of Law – 2750 Meadow Creek Road

1. There is good cause for this Plat Amendment as it is consistent with the total square footage allowed on the lot between the home and barn and the Zone Height.

2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Subdivisions.

3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 2750 Meadow Creek Road

1. The City Attorney and City Engineer will review and approve the final form and content of the amended plat for compliance with State law, the Land Management Code and the conditions of approval, prior to recordation of the Plat.

2. The applicant will record the Plat Amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is submitted in writing and approved by the City Council.

3. A Plat Note shall indicate the Street address of Lot 2 is 2750 Meadow Creek Drive.

4. A Plat Note shall indicate the home and barn shall be constructed within the designated building envelopes.

5. A Plat Note shall indicate the total impacted area, including building footprint and additional fill, shall not exceed 17,000 square feet.

6. A Plat Note shall indicate a minimum 5-foot non-exclusive utility and drainage easement is hereby dedicated along both sides of all lot lines.

7. A Plat Note shall indicate a 10-foot non-exclusive utility easement is hereby dedicated along front lot lines.

8. A Plat Note shall indicate all footing and foundation designs shall be approved by Geotechnical engineers.

9. A Plat Note shall indicate irrigation is by sprinkler only.
10. A Plat Note shall indicate a maximum of three horses will be allowed and no grazing of horses in the wildlife corridors.
11. A Plat Note shall indicate lot line fencing is required and must be maintained in accordance with the CC&Rs and design guidelines of Willow Ranch.
12. A Plat Note shall indicate a modified 13-D fire sprinkler system is required for the home as directed by the Park City Fire Marshal.
13. A Plat Note shall indicate this lot is subject to an animal management plan and equestrian lot open space covenant executed with the Park City Municipal Corporation.
14. A Plat Note shall indicate no basements are allowed.
15. A Plat Note shall indicate the Lot is allowed an accessory dwelling unit subject to the approval of Park City Municipal Corporation and restrictions as outlined in the Willow Ranch CC&Rs.
16. A Plat Note shall indicate the home square footage is limited to a maximum of 9,300 square feet, excluding the first 600 square feet of home attached garage space per CC&Rs and the City's Land Management Code.
17. A Plat Note shall indicate the Building Height of the home is limited to 23 feet to the midpoint of the roof and 28 feet to the peak of the roof.
18. A Plat Note shall indicate the pitch of the barn roof shall be substantially similar to the predominant pitch of the home's roof, and under no circumstances shall the peak Height of the barn exceed the Zone Height of 28 feet.
19. A Plat Note shall indicate none of the Exception Parcels are rendered separately buildable by virtue of this amendment.
20. A Plat Note shall indicate the combined total square footage of the home and the barn shall not exceed 9,800 square feet, excluding the first 600 square feet of home attached garage space per CC&Rs and the City's Land Management Code.
21. A Plat Note shall indicate the barn square footage will be limited to a maximum of 1,800 square feet as originally allowed in the Willow Ranch Subdivision Plat and CC&R's, with no human occupancy.
22. A Plat Note shall indicate floor plans for both the house and barn shall be submitted at the time of building permit for any modification to the house and any new construction for the barn, showing that the combined maximum square footage will not exceed 9,800 square feet. Plans must be stamped and signed by a registered architect to ensure the maximum total square footage is not exceeded.
23. A Plat Note shall indicate no certificate of occupancy will be issued for the barn until all construction on the house has been completed.
24. A Plat Note shall indicate the Lot 2 Willow Ranch Replat exceeds one (1) acre and shall meet the requirements of the municipal separate storm sewer system (MS4) storm water program. A plat note shall indicate that development shall be required to obtain a MS4 storm water permit prior to any construction activity.

Commissioner Hall returned to the meeting.

5.D. Land Management Code Amendment -- The City Council Recommended Evaluating Affordable Master Planned Developments (AMPDs) in Non-Residential Historic Districts. The Proposed Amendments Establish AMPDs in the Historic Recreation Commercial and Historic Commercial Business Zoning Districts.

Planner Rebecca Ward reviewed the proposal to expand the zoning districts where Affordable Master Planned Developments are allowed to the non-residential historic districts. Planner Ward reported that the Affordable Master Planned Development Code was put into place to help incentivize public and public/private partnerships to develop affordable units so they can work towards the City's goal to have 800 affordable units in the City by 2026.

Planner Ward stated that affordable master planned developments that provide at least half the residential unit equivalents for affordable units qualify for building heights up to 45 feet with a template stepback, parking reductions, open space, and setback reductions, as well as potential mixed-use up to 10,000 square feet.

Planner Ward remarked that AMPDs are currently allowed in non-historic zoning district that already allow multi-unit dwellings. On February 25, 2021, the City Council unanimously adopted the new Affordable Master Planned Development Code. The City Council directed the Staff to evaluate AMPDs in non-residential historic districts. Planner Ward noted that the proposed amendments under consideration this evening would open the door for affordable master planned developments in the Historic Commercial Business Zoning District and the Historic Recreation Commercial Zoning District, subject to additional requirements. Planner Ward noted that these zoning districts extend from 11th Street to the southern end of Main Street. She presented a slide with the proposed areas outlined in black primarily encompassing properties along Main Street, Park Avenue, and Swede Alley.

Planner Ward reported that on April 7th, the Historic Preservation Board reviewed these amendments and unanimously forwarded a positive recommendation to the Planning Commission and the City Council. The Historic Preservation Board also recommended exploring additional opportunities for affordable units that are not part of these large scale AMPDs, which include accessory affordable employee units within non-residential uses. Planner Ward stated that Summit County was looking into ways to help create affordable workforce housing.

Planner Ward reported that the HPB also recommended incentives to preserve historic footprints for more affordable single-family dwellings; workforce housing units in Old Town that allowed for shared living and kitchen spaces; and incentives to attract car-free tenants. The Staff will continue to research these recommendations; however, the proposal this evening was limited to AMPDs in the historic zones.

Planner Ward stated that the General Plan has two goals: 1) to preserve the integrity, mass, scale, compatibility, and the historic fabric of the Historic Districts.

Planner Ward noted that additional requirements in the proposed amendments would help protect these historic districts. The AMPDs already require the preservation of historic buildings. There is a requirement that any applicant for an AMPD or a Master Planned Development must submit an analysis of historic structures and preservation obligations as part of the approval. Any development of an AMPD in a historic district would need to comply with the Historic District Design Guidelines. In addition to the underlying regulations, there are regulations in the HCB and HRC Zoning Districts for storefront properties where no office or residential use is allowed at the street level. Planner Ward stated that this regulation would continue to apply to the AMPD.

Planner Ward stated that the Staff was proposing amendments that would apply the underlying zoning regulations for the HCB zoning district along Main Street because the setbacks, building volume, height, and the floor area ratio, the restrictions for how these projects relate to the neighboring zones, and the parking are very specific. To preserve that historic character and the streetscape, the Staff recommended that those zoning regulations stay in place and apply to AMPDs. It allows for height up to 45', but the setbacks are slightly different. She presented illustrations from the Land Management Code showing the required setback from Main Street, from Swede Alley, and from any adjacent historic residential zones.

Planner Ward stated that AMPDs in the HRC zoning district would be eligible for some of the AMPD incentives, which would include the template setback with a height up to 45'. Also, in the HRC zoning district the applicants could request a reduction in parking under the same requirements for AMPDs in the other zones where it is already in place. The applicant must demonstrate that a parking reduction materially increases the feasibility, they fund and submit a parking and traffic study, and demonstrate that the AMPD sufficiently addresses the parking demand for the project. Planner Ward noted that the same factors in place for AMPDs would apply to these zoning districts.

Chair Phillips understood that the diagram presented was showing the additional maximum height at 45'. Planner Ward clarified that it was just for the HRC area, which is to the north of Main Street. It would apply where the building facade plane would be

required to meet the current building height. With the template stepback, the height could go up to 45'. Chair Phillips stated that in looking at the building in yellow and the building next to it, they appear to have the same amount of floor levels but the one has a pitched roof. If they put that same pitched roof on top of the yellow building, the maximum height would be inside the roof plane. Chair Phillips asked if that was an accurate depiction or whether he should ignore the other buildings. Planner Ward explained that under the existing AMPD Code, a portion of the building would also have the exception for the additional roof pitch. Chair Phillips clarified that it would have the ability to have an extra roof pitch but at a maximum 45' roof. Planner Ward remarked that the roof pitch exception is above the 45' maximum. She clarified that this was only proposed for the Historic Recreation Commercial zone along Main Street. It is what was shown in the renderings.

Commissioner Suesser recalled that the HRC District also provides a 10' stepback. She understood the roof allocation and asked if it was also the setback from the property line. Planner Ward replied that it was only for the height. Commissioner Suesser asked if there were property line setbacks for the Historic Recreation District. Planner Ward stated that there are property line setbacks for the HRC zone. The same setback for the AMPD Code that apply in other zoning districts would apply in the Historic Recreation Commercial District. Commissioner Suesser asked for the setback requirement. Planner Ward replied that in the HRC zone the front and rear setback are 10' and the side setbacks are 5'. Within both zoning districts, especially in the Historic Commercial Business Zoning District, a lot of the incentives that were put into place for AMPDs in other zones already exist in the HCB with the reduced open space setbacks and increased building height. Planner Ward stated that in the HRC zone the underlying zoning regulations would continue to apply. Commissioner Suesser asked if the Historic Recreational Commercial Zone is north of Main Street. Planner Ward indicated the lower part of Main Street between Heber Avenue and where you turn onto Main Street from Deer Valley Drive, which is the northern end. Commissioner Suesser asked if it captures the Town Lift. Planner Ward answered yes. She noted that the HRC zone is predominantly built out, as well as the HCB zone. This would open the door for potential redevelopment and infill. Commissioner Suesser asked where it ends. Planner Ward stated that it ends on 11th Street.

Chair Phillips noted that the last illustration in the Staff report showed an exclusion of anything to the west of Park Avenue in the District that Planner Ward had just highlighted. Planner Ward replied that he was correct. Chair Phillips pointed out that it was from 9th all the way to Heber, and he wanted to know why that area was being excluded. Planner Ward explained that there are small sub zoning districts along the Historic Commercial Zone that serve as transition zones. She reviewed the zoning map to show the different transition zones. Planner Ward remarked that the section west of

Park Avenue is carved out to serve as the transition between commercial and residential, and the increased height would not be allowed along the west side of Park Avenue.

Chair Phillips liked the direction and the idea. He was unsure how much impact it will have but he thought it was a good thing to do.

Planner Ward recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council for their consideration on April 29, 2021. Planner Ward reiterated that ongoing discussions and further research on additional affordable housing opportunities was still taking place.

Chair Phillips opened the public hearing.

No eComments were submitted and no hands were raised on Zoom.

Chair Phillips closed the public hearing.

Commissioner Kenworthy emphasized that he supports the affordable housing goals. He asked if this would make a significant impact now or whether the City sees it as future redevelopment opportunities 30 years from now.

Jason Glidden, the Affordable Housing Manager, believed it was more towards redevelopment; however, he hoped it would not be as long as 30 years. Mr. Glidden stated that when they initially went to the City Council the intent was to protect the Historic District. The City Council agreed with the residential side, but they also thought it should apply to the commercial side to allow for development and prepare for redevelopment. Mr. Glidden noted that the Brew Pub lot is a potential area for development. He did not want to rule out new development, but he believed it was more for later redevelopment.

Commissioner Kenworthy had the same thought about the Brew Pub lot and asked if this would allow for the retail to be on the street level floor and housing on top. Mr. Glidden stated that as written, the Code allows for a certain percentage of commercial to be present in the development. The storefront could be present on Main Street on the bottom level with housing above. Commissioner Kenworthy asked if Mr. Glidden had an idea of the number of units that could go on the Brew Pub lot. Mr. Glidden replied that the Brew Pub lot was on a long list of properties he was looking at, but he could not say how many units could go on that lot. Commissioner Kenworthy stated that five or ten years ago the HPCA was looking at this for affordable housing and he supported the proposed amendments.

Commissioner Suesser asked about possible residential redevelopment projects triggering an affordable housing component. Mr. Glidden stated that the Housing Resolution was updated in December to increase the amount of inclusionary housing that would be required for residential, but only through an MPD. He asked if Commissioner Suesser was looking beyond an MPD. Commissioner Suesser recalled discussions about extending affordable housing requirements to a lot combination in a residential single-family being developed in town or for a large addition. Chair Phillips noted that it was discussed but it never rose to the level of implementation. Mr. Glidden stated that they were looking to have outside Counsel review the legalities of doing that in the State of Utah before they move forward on it. They were still considering having a house over a certain square footage trigger a possible housing requirement of some type but was still in the very preliminary stages of investigation.

Chair Phillips asked Planner Ward to pull up the additional recommendations from the Historic Preservation Board. Commissioner Thimm had reviewed the recommendations closely and he supported each one. However, he did not understand how preserving historic footprints increases historic affordable housing. Planner Ward stated that they see a lot of single-family historic structures that are rehabilitated and add an addition. The recommendation was to find a way to align historic preservation of the smaller footprint and to incentivize it so there would be no addition, or the addition would be restricted in size to align affordability and preservation of the original structure. Chair Phillips asked what incentive would encourage an owner to restrict the size. Planner Ward stated that the incentives would require more research.

Chair Phillips disclosed that a while ago he was helping an applicant explore an original historic home. In the process they were exploring putting an ADU on the property. There was an existing foundation from an old building. At the time they were told that an ADU needed to be attached to the building. Chair Phillips believed there are opportunities to give flexibility to where an ADU can be located on the property if they are trying to incentivize. He stated that giving someone the opportunity to do a separate structure as opposed to blowing up the historic building to achieve more square footage was worth looking into.

Planner Ward noted that a work session on ADUs is scheduled for April 28th Planning Commission meeting.

Commissioner Kenworthy asked Planner Ward to pull up the map that outlines the proposed area. He indicated the area where Swede Alley was cut off and asked if that was China Bridge. Planner Ward replied that it was the Public Use Zone with City Hall and China Bridge. Commissioner Kenworthy asked if the area just to the north were the

Marsac parking lots. Planner Ward answered yes. Commissioner Kenworthy clarified that the parking lot down off of Swede Alley was to the west. He liked having all that area included. He asked if Marsac was not included because it is a transition zone or because it is City Hall. Planner Ward replied that it is a very unique outlier zone. If there were an opportunity for any sort of reuse, the Staff would recommend rezoning to HCB at that time.

Commissioner Hall wanted to know why it was not included right now. She had the same question for the Historic Recreation Commercial zone east of Park Avenue. Planner Ward stated that all the area east of Park Avenue would be included and AMPDs would be allowed east of Park Avenue. As far as the Public Use Zone, the underlying zoning regulations are an outlier; however, they have talked about how it could potentially be redeveloped as affordable housing at some point. At that time, they would recommend rezoning the area to Historic Commercial Business so it could be included. Commissioner Hall understood that it was a different zone, but she did not understand why they could not include it now to allow AMPDs in the zone. Planner Ward replied that it could be added as an additional zone, but she would need additional time to do the analysis to see what it would look like.

Commissioner Hall stated that she supported the recommendations from the Historic Preservation Board.

Commissioner Kenworthy asked Planner Ward to address why the Sandridge Lots were not included. Planner Ward replied that it was primarily historic residential with much lower building heights for single-family dwellings.

Jason Glidden stated that if there was interest in developing the Sandridge Lots and they wanted to use the Affordable MPD, it would be similar to the PUT zone, where they would rezone to allow for it. He agreed with Planner Ward that rezoning makes more sense rather than including the PUT zone, but she would need to look at the PUT further to figure out if it is compatible and whether there would be issues. Mr. Glidden pointed out that the Staff had only looked at the zones being presented this evening. They were given clear direction to stay away from the Historic Residential. He thought the Sandridge Lots could be considered for a rezone at some point if they decide it is appropriate to do. Commissioner Kenworthy stated that if they include the Brew Pub lot there would be continuity from the west side heading east where there would be a height reduction because of cutting into the hills. Mr. Glidden replied that this has been discussed at City Council but had not yet been prioritized. It was not at the top of the list of the ones currently being looked at, but it is on the list of potential properties. If it was to come up or they were to receive a proposal for that area that makes sense, they

would probably look at it. However, one of the steps needed to do that would be to rezone that area to allow for this to happen.

Chair Phillips was in favor of the proposed amendments. He thought the HPB provided good input. Chair Phillips stated that he could not see any immediate impacts from this, but it is difficult to know for because they cannot predict what a landowner will do.

Commissioner Hall was in favor and supported a positive recommendation. She liked the concept and would like more of it. She encouraged Mr. Glidden and Planner Ward to continue researching other potential areas.

Commissioner Suesser also supported the proposed amendments. She was curious as to what incentives the City was considering, particularly for the two zones presented this evening. Mr. Glidden stated that the incentives would hopefully be built into the Code. As they change the Code it will allow for a parking reduction, which is a huge advantage to any development. There is also the incentive of increased height that allows additional density to take place. Mr. Glidden stated that there are financial gains on the development side to get more density and reduce the parking. It is also consistent with the City's thinking of going car free in promoting walkability and alternative modes of transportation. Mr. Glidden pointed out that they were trying to use the Code as incentives, and he was unsure about other incentives. If they get into the public/private partnership, there are tools that can be looked at as far as providing additional assistance for development. Those have not been fully vetted yet but there are ways to help make the financial proforma work for the developer.

MOTION: Commissioner Hall moved to forward a POSITIVE recommendation to the City Council on the proposed amendments to establish AMPDs in the HCB and HRC Districts for their consideration on April 29, 2021. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission Meeting adjourned at 8:40 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report



Subject: The Washington School Inn
Application: PL-20-04477
Author: Rebecca Ward
Date: April 28, 2021
Type of Item: Work Session

Recommendation

Review the Applicant's request to convert the Washington School Inn from a Bed & Breakfast to a Minor Hotel and provide input.

Description

Applicant: Washington School House, LLC
Location: 543 Park Avenue
Parcel WSI-1 (0.30 acres)
Parcel PC-78-88-89-C (0.04 acres)
Zoning District: Historic Residential – 1
Adjacent Land Uses: Residential; Parking Structure; Offices
Reason for Review: The Planning Commission reviews and takes action on Conditional Use Permits¹

Acronyms

CUP Conditional Use Permit
HR-1 Historic Residential – 1
LMC Land Management Code
WSI Washington School Inn

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

The Washington School House was constructed with limestone quarried at Peoa, Utah, in 1889 during Park City's Settlement & Mining Boom Era (1868 – 1893). The Structure is one of the few to survive the Great Fire of 1898. In 1978, the Washington School House was nominated for listing on the National Register of Historic Places. The Washington School House is also a Landmark Historic Structure on the Park City Historic Sites Inventory (Exhibit A).²

By the 1980s, the Washington School House had fallen into disrepair. The Land Management Code (LMC) allows Bed & Breakfast and Minor Hotel Uses within Historic Structures in the Historic Residential – 1 Zoning District to incentivize the rehabilitation

¹ LMC [§ 15-12-15\(A\)\(6\)](#).

² LMC [§ 15-11-10\(D\)\(1\)\(dp\)](#).

and preservation of Historic Structures.³

1983 Bed & Breakfast Conditional Use Permit Approval

On September 1, 1983, the Washington School House Property Owner applied to rehabilitate the Structure and convert it to a Bed & Breakfast (Exhibit B). On September 21, 1983, the Historic District Commission approved a Conditional Use Permit (CUP) to operate a 14-room Bed & Breakfast with an additional room for the caretaker (Exhibit C). In 2011, the Applicant completed an interior renovation and reduced the number of rooms from 15 to 12 (Exhibit D).

Request for a Minor Hotel Conditional Use Permit to Expand the Use to include Accessory Facilities for Events

In 2020, the Applicant submitted a CUP application to convert the Washington School Inn (WSI) Bed & Breakfast to a Minor Hotel. A Bed & Breakfast requires the Property Owner or manager to live on site—or to have a manager on the site 24-7—and is limited to guest rooms and facilities for guest meals, whereas a Minor Hotel allows for accessory facilities like restaurants, bars, spas, meeting rooms, group dining facilities, and other activities customarily associated with Hotels. Please see Exhibit D to read the Applicant's Project Description. Also, the Applicant's Parking Study indicates the Applicant proposes private events for corporate retreats, weddings, and other milestones for those who are not overnight guests (Exhibit L).

The Planning Commission approves Conditional Use Permits “if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.”⁴

Criteria the Planning Commission considers when evaluating Conditional Uses include traffic, location and amount of off-street parking, noise and other factors that might affect people and property off-site, control of delivery and service vehicles, and loading and unloading zones.⁵

The purpose of this work session is to provide background information and to allow the Planning Commission to provide input to the Applicant regarding (I) the scope of use for this site located within a primarily residential area; and (II) parking. Both topics are outlined in the Analysis Section below.

Analysis

(I) Staff recommends the Planning Commission evaluate the appropriate scope of use for this site located within a primarily residential area and request clarifying information from the Applicant outlining the proposed shift to a Minor Hotel designation.

³ LMC [§ 15-2.2-2\(B\)\(11\) and \(B\)\(13\)](#).

⁴ LMC [§ 15-1-10](#).

⁵ LMC [§ 15-1-10\(E\)](#).

The distinction between a Bed & Breakfast and a Minor Hotel is that a Bed & Breakfast requires a Property Owner or manager to live on site, or for a manager to be on site 24-7, and restricts the property to ten rooms for guests and to facilities to provide meals for those guests,⁶ and a Minor Hotel allows accessory facilities, like group dining facilities, meeting rooms, restaurants, bars, and spas, and up to 16 rooms for guests.⁷

LMC [§ 15-2.2-7](#) outlines additional requirements for Bed & Breakfasts in the Historic Residential – 1 Zoning District:

- An owner or manager must live on-site, or a manager must be on site 24/7
- Food service is for the benefit of overnight guests only
- No kitchen is permitted within the rental rooms
- Parking on-Site is required at a rate of one space per rentable room
- The Use must comply with the Conditional Use criteria outlined in LMC [§ 15-1-10](#)
- The maximum number of rooms is determined by the Applicant's ability to mitigate neighborhood impacts
- The Property Owner must rehabilitate the Historic Structure

The Historic Residential – 1 Zoning District is primarily residential. Bed & Breakfasts and Minor Hotels are only allowed in Historic Structures.

The WSI is in the HR –1 Zoning District. The purpose of the HR – 1 Zoning District includes preservation of present land Uses and character of the Historic residential areas of Park City.⁸ Allowed Uses in the HR – 1 Zoning District are primarily residential and include Single-Family Dwellings and Accessory Buildings and Uses.⁹ Bed & Breakfasts and Minor Hotels Conditional Uses and are only allowed in Historic Structures within this primarily residential area.¹⁰

This Conditional Use exception for Historic Structures stems from the 1980s LMC § 3.7, which granted the Historic District Commission discretion to approve uses not otherwise allowed in a Zoning District through a Conditional Use Permit to incentivize the rehabilitation and preservation of Historic Structures:

⁶ At some point, the City Council amended the LMC to define Bed & Breakfast, but staff could not find the date of approval.

⁷ LMC [§ 15-15-1](#).

⁸ LMC [§ 15-2.2-1](#).

⁹ LMC [§ 15-2.2-2\(A\)](#).

¹⁰ LMC [§ 15-2.2-2\(B\)](#).

3.7. CONDITIONAL USES IN HISTORIC BUILDINGS. The Commission may consider uses in designated and identified historic buildings or on historic sites which do not conform with existing zoning regulations by prescribing conditions as are in its opinion necessary to assure the preservation of the historic buildings for which the conditional use authorization is sought. The Commission may approve an application for a conditional use if the facts presented are such to establish:

3.7.1. That such use or feature as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to property, improvements, or potential development in the vicinity.

3.7.2. That such use or feature as proposed will comply with the applicable provisions of Section 2 and will not adversely affect the Development Guide and Comprehensive Plan of Park City, commonly referred to as the Master Plan.

3.7.3. That such use or feature proposed is conducive to the preservation of the historic and/or architectural characteristics of the building or site.

The Historic District Commission approved a Bed & Breakfast CUP for the Washington School House.

On September 21, 1983, the Historic District Commission approved a CUP for the operation of a Bed & Breakfast at the Washington School House.¹¹ The 1980s LMC did not define *Bed & Breakfast*. Based on what was constructed and the Applicant's CUP application (Exhibit B), the Bed & Breakfast was approved to operate 14 rooms plus one room for the on-site manager. In 2011, the Property Owner renovated the interior and reduced the rooms to 12.

As required by the CUP, the Property Owner rehabilitated the Historic Structure. In 2012, the Historic Preservation Board awarded the WSI for Excellence in Restoration of a Landmark Historic Structure (Exhibit M).

The Community Development Director and Planning Commission reiterated the limited scope of the Washington School Inn Bed & Breakfast Conditional Use Permit over the years.

In 2001, the WSI Property Owner submitted a Historic District Design Review application to deconstruct the gable-roof of a detached garage on the property to replace it with a flat roof, outdoor patio, and gazebo. Staff approved the application and neighbors in an adjacent Single-Family Dwelling appealed. The neighbors were concerned that transformation of a gable-roof to an outdoor patio and gazebo would create disruptive outdoor use and noise in the primarily residential area. In the end, the Property Owner was granted Historic District Design Review approval to build the flat roof over the detached garage with an outdoor patio and gazebo (Staff could not find

¹¹ The CUP was issued for 545 Park Avenue and not 543 Park Avenue but is clearly intended for the Washington School House property.

the Final Action Letter, but the approval is outlined in a November 5, 2001 Community Development Director Determination, Exhibit E, p. 2).

In 2001, the Community Development Director reiterated the scope of the WSI Bed & Breakfast CUP and stated “the flat-roof/terrace element conforms to the aforementioned definitions and remains consistent in character and scope with the use of other residential flat-roof/terrace elements in the HR-1 district. Programming the flat-roof/terrace for outdoor commercial activities which are inconsistent with the character and scope of bed and breakfast inn operations is not permitted under the 1983 conditional use permit or the HR-1 district regulations” (Exhibit E, p. 3).

In 2010, the Property Owner of the WSI applied for a Private Recreation Facility CUP for an outdoor swimming pool. On November 10, 2010, the Planning Commission approved the CUP, but with a Finding of Fact and Condition of Approval to clarify the scope of the WSI Use:

Finding of Fact 15

“Passive use of the Washington School Inn garden and grounds by patrons of the Inn are a permitted use in the HR1 zone and consistent with the 1983 conditional use permit approval. Organized events for the Washington School Inn patrons and/or the general public including parties, weddings, or other public assemblies, are not permitted in the HR1 zone and are outside the scope of the 1983 conditional use permit.”

Condition of Approval 3

“This approval is for a private recreation facility. Any additional uses, including public assemblies, must be reviewed independently and are outside the scope of the 1983 bed and breakfast conditional use permit and the present private recreation facility conditional use permit” (Exhibit F).

In 2012, the Planning Commission approved expansion of the 2010 Conditional Use Permit to an adjacent Lot to the north of the pool area that WSI acquired to be included in the WSI fencing and landscaping (Exhibit G).

On June 24, 2015, the Planning Commission approved a modification to the Bed & Breakfast CUP to shift the laundry facilities from the basement of WSI to the detached garage, which was being used for storage (and had never been used for parking) (Exhibit H). The Applicant submitted the 2011 WSI floor plans with the CUP application. Staff recommends the Applicant submit current square footage reflecting the existing conditions and the square footage allocated for accessory facilities and events.

Because the proposed location of the Minor Hotel is in a primarily residential Zoning District, staff recommends the Applicant submit the following information prior to scheduling a Planning Commission public hearing:

- Square footage and allowed occupancy for existing and proposed interior and exterior accessory facilities (facilities proposed for event uses)
- Information on kitchen capacity and whether events would require off-site catering and deliveries
- Information regarding access and parking for delivery and service vehicles
- The estimated number of employees required for Minor Hotel use and events compared to the number of employees required for Bed & Breakfast use
- Details regarding the extent events will use the outdoor gardens, patio and swimming pool facilities, including:
 - Outdoor dining
 - Non-amplified or amplified music
 - Speakers
 - Time restrictions
 - Outdoor lighting

(II) Staff recommends the Planning Commission evaluate parking for the Washington School Inn.

LMC [§ 15-3-6\(B\)](#) requires one parking space per room and one parking space per on-duty manager for Bed & Breakfasts, and one parking space per room and one space per 200 square feet of separately leasable commercial space for Minor Hotels. While Historic Structures in the HR – 1 Zoning District that do not comply with parking are valid Non-Complying Structures, “Conditional Uses proposed on the Site, excluding development on a steep slope, shall comply with parking requirements of Chapter 15-3.”¹²

In 1983, staff recommended 0.66 parking spaces per hotel room and 1 space for the caretaker’s unit (Exhibit I). The 1983 Bed & Breakfast CUP required two Conditions of Approval to address parking:

1. That an agreement acceptable to the City Attorney that commits the developer to provide 11 parking stalls for the Washington School be recorded.
2. That if the land to the north of the Sun Classics building is under City ownership, that the developer reach an acceptable agreement with the City for use of the land for stairways and parking access. The agreement should protect the possibility of closing the driveway to Main Street if necessary (Exhibit B).

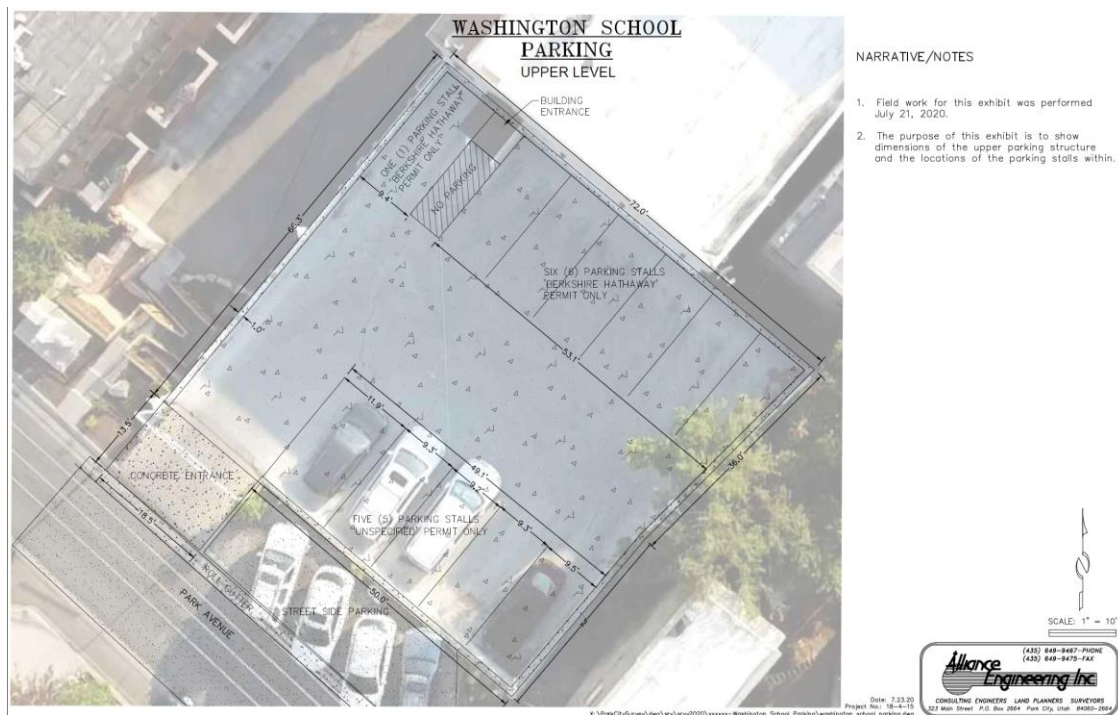
¹² LMC [§ 15-2.2-4](#).

The Property Owner fulfilled both Conditions of Approval:

- On October 9, 1984, the Property Owner of WSI entered into an Easement Agreement for parking east across Park Avenue, but the agreement does not specify the number of parking spaces secured (Summit County Recorder Entry No. 225977; Exhibit J). The Google Map image below shows the upper level of the Parking Structure:



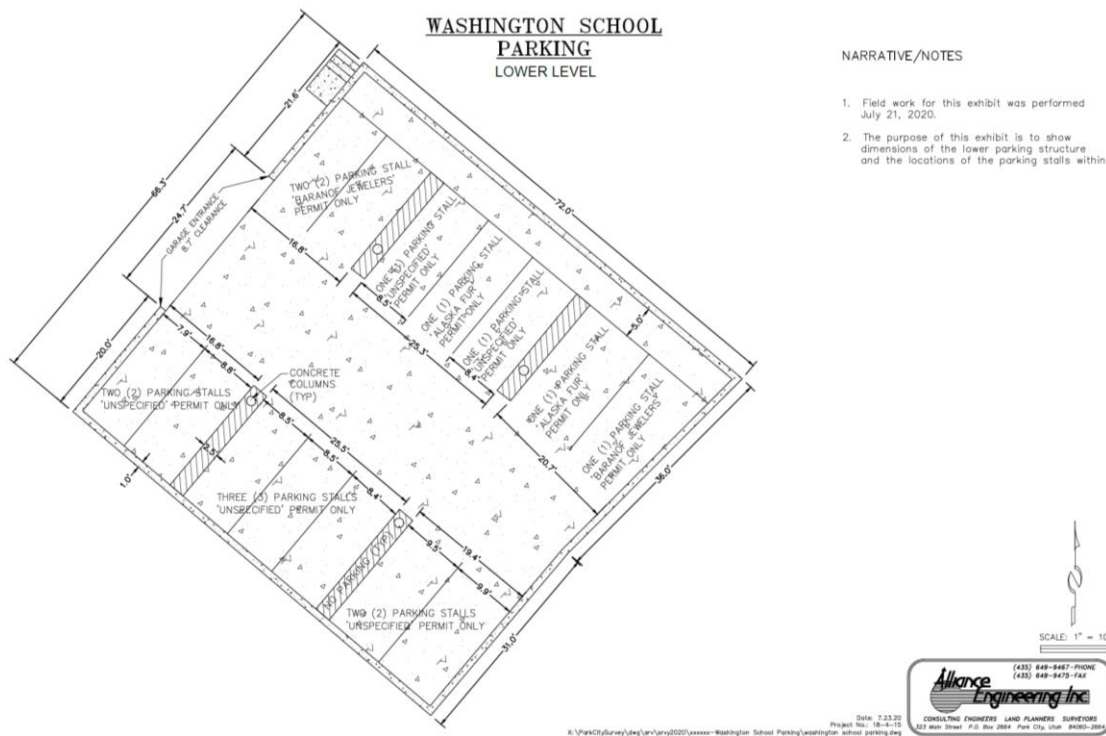
The Applicant submitted the details of the upper-level Parking Structure:



- In March of 1984, Park City Municipal Corporation and the Property Owner of WSI entered into a Non-Exclusive Easement Agreement to improve the Right-of-Way connecting Park Avenue and Main Street. The City granted to the WSI Property Owner a private non-exclusive pedestrian and vehicular Right-of-Way easement (Exhibit K). The Google Map image below shows the Right-of-Way easement that provides access to the lower parking level.



The Applicant submitted a site plan showing the lower parking level accessed through the Right-of-Way easement:



LMC [§ 15-3-7](#) grants the Planning Commission discretion to reduce parking requirements for Conditional Uses:

The Applicant must prove by a parking study that the proposed parking is adequate. The parking study must analyze whether:

1. parking Uses will overlap,
2. commercial spaces within the project will serve those residing within the project rather than the general public, or
3. other factors that support the conclusion that the project will generate less parking than this Code would otherwise require.

In March of 2021, the Applicant submitted the *Washington School House Inn Parking Study* ("Parking Study") completed by Hales Engineering (Exhibit L). The study identifies a total of 12 parking spaces for the WSI: 11 located across Park Avenue, one proposed along Woodside Avenue, and two in the existing driveway (leading to the detached garage that now serves as the laundry facility).

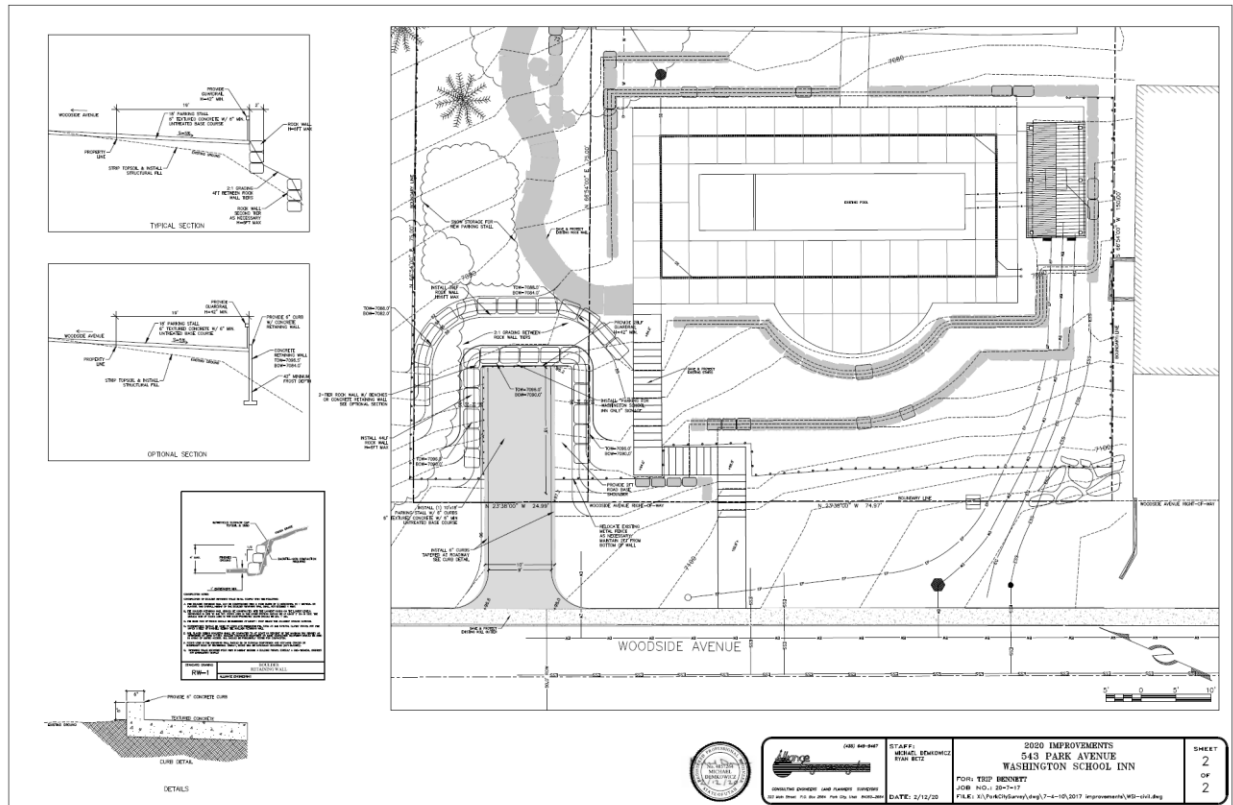
The Parking Study indicates that the Minor Hotel Use "would allow the Washington School House to host small, private events. These special events are anticipated to include small corporate retreats, and small, private celebrations for weddings or other milestone events." Full occupancy for WSI is 34 overnight guests and the Applicant proposes establishing a cap of 60 guests for special events (Exhibit L, p. 3).

The Parking Study concludes that approximately 25% of overnight guests bring their own vehicles and require parking and that only three of the 12 parking spaces are regularly used, leaving nine parking spaces available for WSI events (Exhibit L, p. 4).

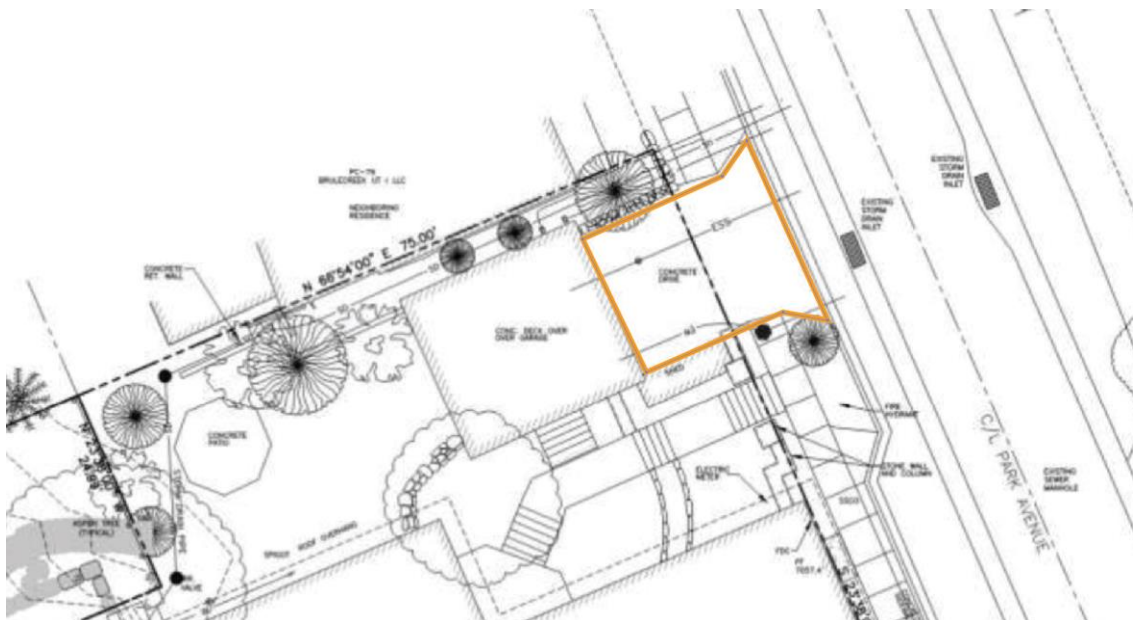
The Parking Study also concludes that WSI will manage parking during special events through use of a valet service.

The image below is taken from the Parking Study, Appendix A Site Plan, and shows the new parking space proposed to be constructed along Woodside Avenue behind the pool area. This proposed parking space may interfere with delivery and service vehicles. Additionally, the Deputy City Engineer notes the following:

The new parking space off Woodside requires someone to walk in the street to get to the existing pathway down to the [WSI]. This is not ideal and it would certainly be preferred a connection from the parking space to the hotel remain on the property and not rely on use of the right-of-way.



Additionally, the Parking Study proposes two additional parking spaces in the driveway, which is partially located on the property and partially encroaches onto the Park Avenue Right-of-Way (highlighted in orange):



Due to the limited off-site parking, potential issues with additional on-site parking, and potential increases in employees required for a Minor Hotel use, staff recommends the additional information:

- The number of employees required for a Minor Hotel use and information on where employees will park
- A proposed parking management plan for events, including:
 - Information on where the proposed valet service will park vehicles when the 11 parking spaces available to the project are full,
 - A potential shuttle service,
 - Proposed management to prevent on-street parking along Main Street, Park Avenue, Woodside Avenue
- Measurements showing the dimensions of the on-site driveway and whether parking will encroach onto the Park Avenue Right-of-Way
- Information on the proposed on-site parking space along Woodside Avenue and the potential to connect the parking space to the WSI without requiring pedestrians to use the Right-of-Way
- Any other information the Planning Commission requests

Exhibits

Exhibit A: Washington School House Historic Site Form

Exhibit B: 1983 CUP Application for a Bed & Breakfast

Exhibit C: 1983 Conditional Use Permit Approval Letter

Exhibit D: Applicant's 2020 Project Description

Exhibit E: November 5, 2001 Community Development Director Determination

Exhibit F: November 10, 2010 Planning Commission Approval for Outdoor Pool

Exhibit G: August 21, 2012 Planning Commission Conditional Use Approval Letter

Exhibit H: June 24, 2015 Planning Commission Approval Letter to Relocate Laundry

Exhibit I: September 21, 1983 Conditional Use Permit Staff Report

Exhibit J: 1984 Parking Easement Agreement

Exhibit K: 1984 Non-Exclusive Agreement with Park City Municipal

Exhibit L: Hales Engineering Parking Study

Exhibit M: 2012 Historic Preservation Board Award to Washington School House

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property: **Washington School**

Address: 543 Park Ave

AKA: 541 Park Avenue

City, County: Park City, Summit County, Utah

Tax Number: WSI-1

Current Owner Name: PCE

Parent Parcel(s): PC-78-88-89 PC-79-A

Current Owner Address: PO BOX 536, PARK CITY, UT 84060-0536

Legal Description (include acreage): ALL LOTS 9 BLK 5 PARK CITY SURVEY; CONT 0.04 AC

2 STATUS/USE

Property Category

- ☒ building(s), main
☐ building(s), attached
☐ building(s), detached
☐ building(s), public
☐ building(s), accessory
☒ structure(s)

Evaluation*

- ☒ Landmark Site
☐ Significant Site
☐ Not Historic

Reconstruction

- Date:
Permit #:
☐ Full ☐ Partial

Use

- Original Use: Institutional
Current Use: Commercial

*National Register of Historic Places: ☐ ineligible ☒ eligible
☒ listed (date: 12/08/1978 - Individually listed.)

3 DOCUMENTATION

Photos: Dates

- ☐ tax photo:
☒ prints:
☐ historic: c.

Drawings and Plans

- ☐ measured floor plans
☐ site sketch map
☐ Historic American Bldg. Survey
☐ original plans:
☐ other:

Research Sources (check all sources consulted, whether useful or not)

- ☐ abstract of title
☒ tax card
☐ original building permit
☐ sewer permit
☒ Sanborn Maps
☐ obituary index
☐ city directories/gazetteers
☐ census records
☐ biographical encyclopedias
☐ newspapers
☒ city/county histories
☐ personal interviews
☐ Utah Hist. Research Center
☐ USHS Preservation Files
☐ USHS Architects File
☐ LDS Family History Library
☐ Park City Hist. Soc/Museum
☐ university library(ies):
☐ other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah:

University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: School type

No. Stories: 2

Additions: ☐ none ☒ minor ☐ major (describe below) Alterations: ☐ none ☒ minor ☐ major (describe below)

Number of associated outbuildings and/or structures: ☐ accessory building(s), # ____; ☒ structure(s), # 1.

General Condition of Exterior Materials:

Researcher/Organization: Preservation Solutions/Park City Municipal Corporation Date: 12-2008

☒ Good (Well maintained with no serious problems apparent.)

☐ Fair (Some problems are apparent. Describe the problems.):

☐ Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):

☐ Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Site: Stone retaining walls extend along the Park Avenue.

Foundation: Stone

Walls: Stone.

Roof: Cross-wing roof form sheathed in Wooden shingles.

Windows/Doors: Four-over-four double-hung sash type, small one-over-one double-hung sash type in paired or grouped.

Essential Historical Form: ☒ Retains ☐ Does Not Retain, due to:

Location: ☒ Original Location ☐ Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The 2-story stone structure remains largely as it was described in the National Register nomination (see Nomination Form, National Register of Historic Places Inventory, 1978). When the site was nominated to the NR, the photographs suggest the building was vacant and in disrepair. The structure has been rehabilitated and adaptively reused as a Bed & Breakfast. Some changes have been made--garage added on north end of property--but many of the historical elements lost over time have been returned. The changes do not affect the site's original design integrity.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting has not been significantly altered from what is suggested in the Sanborn Insurance maps and what is described in the National Register nomination.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The physical evidence from the period that defines this as an educational building constructed during the mining era are the use of stone, the building type of a central block with projecting wings, the bell tower, and the plain finishes.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of the type of educational buildings constructed in western towns of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The school building was constructed in 1889. It is one of the oldest buildings in Park City and is associated with development of public education in Park City.

This site was individually listed on the National Register of Historic Places in 1978. It was built c. 1889, is associated with the development of public education in Park City, and it retains its historic integrity. As a result, it meets the criteria set forth in LMC Chapter 15-11 for designation as a Landmark Site.

5 SIGNIFICANCE

Architect: ☒ Not Known ☐ Known: (source:)

Date of Construction: c. 1889¹

Builder: ☐ Not Known ☒ Known: R. Hobbs, contractor (source: National Register nomination)

¹ National Register nomination.

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

- ☒ Settlement & Mining Boom Era (1868-1893)
- ☐ Mature Mining Era (1894-1930)
- ☐ Mining Decline & Emergence of Recreation Industry (1931-1962)

As stated in the National Register nomination, " The Washington School, constructed in 1889 of limestone quarried at Peoa, Utah is the remaining structure of the three public schools constructed in Park City in the late nineteenth century that followed the "ward school" concept. In addition, the structure is one of the few remaining buildings which survived the Great Fire of June 19, 1898. "

2. Persons (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. Architecture (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: Southeast oblique. Camera facing northwest, 2006.

Photo No. 2: East elevation. Camera facing west, 2006.

Photo No. 3: Northeast oblique. Camera facing southwest, 2006.

Photo No. 4: East elevation - garage. Camera facing west, 2006.

Photo No. 5: Southeast oblique. Camera facing northwest, 1995.

Photo No. 6: Northeast oblique. Camera facing southwest, 1978.

Photo No. 7: Southeast oblique. Camera facing northwest, 1978.

SERIAL NO.
RE-APPRAISAL CARD (1940 APPR. BASE)

Owner's Name _____
 Owner's Address _____
 Location _____
 Kind of Building Res Street No. 553 Park Ave
 Schedule 1 Class 3 Type 1-2-3-4 Cost \$ _____ X %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
<u>1</u>	x x		<u>752</u>	\$ -	\$ <u>1470</u>
	x x			\$	\$
	x x			\$	\$

No. of Rooms 4 Condition _____

Description of Building	Add	Deduct
Foundation—Stone Conc. None ☒		<u>120</u>
Ext. Walls <u>Siding</u>		
Insulated—Floors Walls Clgs.		
Roof—Type <u>Gob</u> Mat. <u>Pot. Shg.</u>		
Dormers—Small Med. — Lg.		
Bays—Small Med. — Lg.		
Porches—Front <u>88" @ 1.10</u>	<u>97</u>	
Rear <u>84" @ 1.00</u>	<u>84</u>	
Cellar—Basement— $\frac{1}{4}$ $\frac{1}{2}$ $\frac{3}{4}$ full-floor <u>Dirt</u>		
Basement Apts.—Rooms Fin. —		
Attic Rooms Fin. — Unfin. —		
Plumbing— Class <u>1</u> Tub <u>1</u> Trays <u>1</u> Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u> Urns <u>1</u> Ftns. <u>1</u> Shr. <u>1</u> Dishwasher <u>1</u> Garbage Disp. <u>1</u>	<u>350</u>	
Heat—Stove <u>H. A.</u> Steam <u>S.</u> Blr. <u>1</u> Oil <u>1</u> Gas <u>1</u> Coal <u>1</u>		
Air Conditioned — Incinerators —		
Radiant—Pipeless —		
Finish— Hd. Wd. <u>1</u> Floors <u>1</u> Fir. <u>1</u> Conc. <u>1</u>		
Cabinets <u>1</u> Mantels —	<u>40</u>	
Tile— Walls <u>1</u> Wainscot. <u>1</u> Floors <u>1</u>		
Lighting—Lamp <u>1</u> Drops <u>1</u> Fix. <u>1</u> <u>Lbr. Lined No. Sides - 11 @ 35"</u>		<u>140</u>
Total Additions and Deductions	<u>571</u>	<u>260</u>
Net Additions or Deductions	<u>-260</u>	<u>1470</u>

Ave Age 45 Yrs. by { Est. Owner ☒ Tenant ☒ Neighbors ☒ Records ☒ } REPRODUCTION VALUE \$ 1781
 Depreciation 12-3-4-5-6 58/42 % \$ 748
 Reproduction Val. Minus Depr. \$ 1033
 Remodeled Est. Cost _____ Remodeling Inc. _____ %
 Garage—S 8 C 1 Depr. 2% 3% _____ Obsolescence _____ %
 Cars _____ Walls _____ Out Bldgs. _____ %
 Roof _____ Size x Age _____ %
 Floor _____ Cost _____ Depreciated Value Garage _____ %
 Remarks 37yr Ave Used (1941) Total Building Value \$ _____

Appraised 10/1949 By Chas. A. J.

Location _____

Kind of Bldg. RES St. No. 553 Park Ave

Class 3 Type 1 2 3 3 Cost \$ _____ X _____ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
1	x x		752		\$ 1527
	x x				
	x x				

Gar.—Carport _____ x _____ Flr. _____ Walls _____ Cl. _____

Description of Buildings	Additions
Foundation—Stone _____ Conc. _____ None ☒	
Ext. Walls <u>SIDING</u>	
Insulation—Floors _____ Walls _____ Clgs. _____	
Roof Type <u>Galv</u> Mtl. <u>pat</u>	
Dormers—Small _____ Med. _____ Large _____	
Bays—Small _____ Med. _____ Large _____	
Porches—Front <u>88</u> @ <u>100</u>	<u>88</u>
Rear <u>84</u> @ <u>100</u>	<u>84</u>
Porch _____ @ _____	
Metal Awnings _____ Mtl. Rail _____	
Basement Entr. _____ @ _____	
Planters _____ @ _____	
Cellar—Bsmt. — $\frac{1}{4}$ $\frac{1}{8}$ $\frac{1}{2}$ $\frac{3}{4}$ Full _____ Floor <u>dirt</u>	<u>50</u>
Bsmt. Apt. _____ Rooms Fin. _____ Unfin. _____	
Attic Rooms Fin. _____ Unfin. _____	
Plumbing { Class <u>1</u> Tub <u>1</u> Trays _____ Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u> Wtr. Sfr. _____ Shr. St. _____ O.T. _____ Dishwasher _____ Garbage Disp. _____	<u>350</u>
Built-in-Appliances _____	
Heat—Stove ☒ H.A. _____ Steam _____ Stkr. _____ Blr. _____ Oil _____ Gas _____ Coal _____ Pipeless _____ Radiant _____	
Air Cond. _____	
Finish—Fir ☒ Hd. Wd. _____	
Floor—Fir ☒ Hd. Wd. _____ Other _____	
Cabinets <u>1</u> Mantels _____	
Tile—Walls _____ Wainseot _____ Floors _____	
Storm Sash—Wood D. _____ S. _____; Metal D. _____ S. _____	
Total Additions	<u>572</u>

Year Built _____	Avg. <u>53</u>	Current Value	\$ <u>2099</u>
Inf. by { Owner _____ Tenant _____ Neighbor - Record - Est.	Age <u>53</u>	Commission Adj. _____ %	
Remodel Year _____	Est. Cost _____	Bldg. Value	
		Depr. Col. 1 2 3 4 5 6 <u>34</u> %	
		Current Value Minus Depr.	\$ <u>714</u>
Garage—Class _____	Depr. 2% 3% _____	Carport—Factor _____	
Cars _____	Floor _____ Walls _____	Roof _____ Doors _____	
Size— <u>x</u> _____	Age _____	Cost _____ x _____ %	
Other _____			
Total Building Value			\$ _____

Appraised 11-29 19 57 By 1331

PC 79
Serial Number

Card Number

Owners Name

Location

Kind of Bldg.

St. No.

Class

Type 1 2 3 4. Cost \$

X 100 %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
	x x	752		\$ 3,363	\$
	x x				
	x x				

Att. Gar. — C.P. — x — Flr. — Walls — Cl. —

Description of Buildings	Additions	Additions
Foundation—Stone — Conc. A — Sills —		
Ext. Walls — Sid — (A)		
Roof Type — Gab — Mtl. — RR		
Dormers—Small — Med. — Large —		
Bays—Small — Med — Large —		
Porches—Front — 80 # @ 150	120	
Rear — 36 # @ 100	36	
Porch — @		
Planters — @		
Ext. Base. Entry — @		
Cellar/Bsmt. — 1/4 1/8 1/2 3/8 3/4 Full — Floor —	80	
Bsmt. Gar. —		
Basement-Apt. — Rms. — Fin. Rms. —		
Attic Rooms Fin. — 1 — Unfin. —	225	
Plumbing { Class — 1 — Tub. — 1 — Trays —		
Basin — 1 — Sink — 1 — Toilet — 1	550	
Wtr. Sfr. — Shr. St. — O.T. —		
Dishwasher — Garbage Disp. —		
Heat—Stove — H.A. — FA X HW — Stkr — Elec. —	329	
Oil — Gas X Coal — Pipeless — Radiant —		
Air Cond. — Full — Zone —		
Finish—Fir. — Hd. Wd. — Panel —		
Floor—Fir. — Hd. Wd — Other —		
Cabinets — 1 — Mantels —		
Tile—Walls — Wainscot — Floors —		
Storm Sash—Wood D. — S. —; Metal D. — 1 — S. —	30	
Awnings — Metal — Fiberglass —		

Total Additions

Year Built 1904

Avg. 1904

Age 2.

Replacement Cost

Obsolescence

Inf. by

Owner Tenant
Neighbor Record Est.

Adj. Bld. Value

Conv. Factor

Replacement Cost—1940 Base

Depreciation Column 1 2 3 4 5 6

1940 Base Cost, Less Depreciation

Total Value from reverse side

Total Building Value \$

Appraised ①

10-17-68 19

By

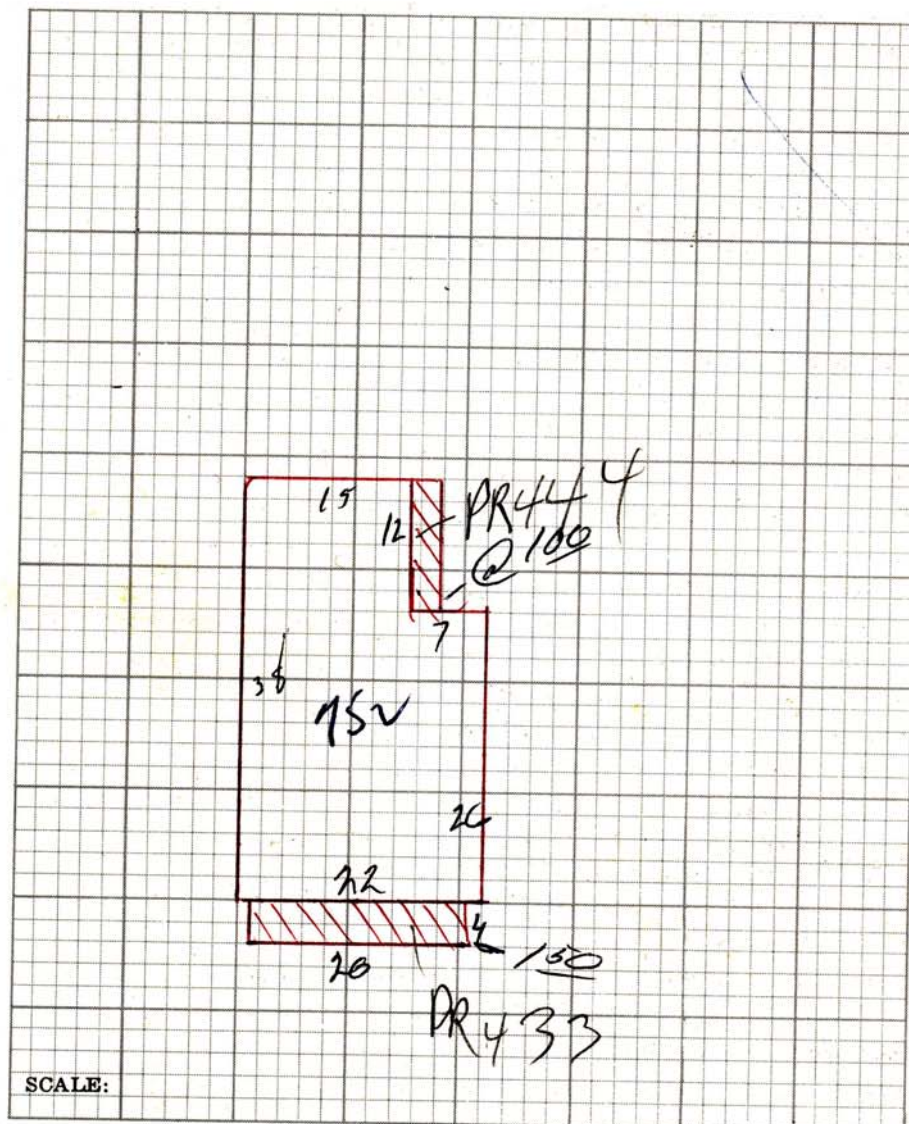
1208

Appraised ②

19 By

DEC 13 1968

1328



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class _____ Depr. 2% 3% _____

Cars _____ Floor _____ Walls _____ Roof _____ Doors _____

Size _____ x _____ Age _____ Cost _____ x 47 % _____

1940 Base Cost _____ x _____ % Depr. _____

Total _____

REMARKS _____

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

FOR NPS USE ONLY

RECEIVED

JUN 6 1978

DATE ENTERED

DEC 8 1978

SEE INSTRUCTIONS IN *HOW TO COMPLETE NATIONAL REGISTER FORMS*
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS**1 NAME**

HISTORIC

Washington School

AND/OR COMMON

Public School District No. 12

2 LOCATION

STREET & NUMBER

541 Park Avenue

___ NOT FOR PUBLICATION

CITY, TOWN

Park City

CONGRESSIONAL DISTRICT

STATE

Utah

___ VICINITY OF

CODE

COUNTY

Summit

CODE

142

3 CLASSIFICATION**CATEGORY**

___ DISTRICT

☒ BUILDING(S)

___ STRUCTURE

___ SITE

___ OBJECT

OWNERSHIP

___ PUBLIC

☒ PRIVATE

___ BOTH

PUBLIC ACQUISITION

___ IN PROCESS

___ BEING CONSIDERED

STATUS

___ OCCUPIED

☒ UNOCCUPIED

___ WORK IN PROGRESS

ACCESSIBLE

___ YES: RESTRICTED

☒ YES: UNRESTRICTED

___ NO

PRESENT USE

___ AGRICULTURE

___ COMMERCIAL

___ EDUCATIONAL

___ ENTERTAINMENT

___ GOVERNMENT

___ INDUSTRIAL

___ MILITARY

___ MUSEUM

___ PARK

___ PRIVATE RESIDENCE

___ RELIGIOUS

___ SCIENTIFIC

___ TRANSPORTATION

☒ OTHER: Vacant**4 OWNER OF PROPERTY**

NAME

David S. Grow

STREET & NUMBER

P. O. Box 202

CITY, TOWN

Provo

___ VICINITY OF

STATE

Utah

5 LOCATION OF LEGAL DESCRIPTIONCOURTHOUSE,
REGISTRY OF DEEDS, ETC.

Summit County Courthouse

STREET & NUMBER

CITY, TOWN

Coalville

STATE
Utah**6 REPRESENTATION IN EXISTING SURVEYS**

TITLE

Utah State Historic Sites Inventory

DATE

1973/1978

___ FEDERAL ☒ STATE ___ COUNTY ___ LOCALDEPOSITORY FOR
SURVEY RECORDS

Utah State Historical Society

CITY, TOWN

Salt Lake City

STATE
Utah

7 DESCRIPTION

CONDITION

___EXCELLENT
___GOOD
___FAIR

XDETERIORATED
___RUINS
___UNEXPOSED

CHECK ONE

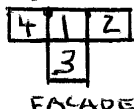
XUNALTERED
___ALTERED

CHECK ONE

XORIGINAL SITE
___MOVED DATE _____

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The basic plan of the George Washington Schoolhouse is a "T" plan built in stone. It is a split level structure rising to a height of two full storeys at the main elevation and one and one half at the rear. Three wings extend from the central block on both sides and the front. The central square and wings will be numbered as follows:



The plot is located on a slope which causes the split leveling. The basement, done in cut stone, is partial, only extending under section #3. The exterior wall material is also cut stone and is a combination of broken course and composition coursing. The texture of the stone is hammered or tooled. In the exterior wall of the main facade there is a date stone which reads "Public School District No. 12, 1889."

The total roof shape is a "T" gable covered with wood (probably cedar) shingles. There are three interior chimneys which are centrally located at the end of wings 2,3, and 4. These are single units made of brick. There are several dormer windows of pediment shape and having windows of the "four sash with mullions" type. The eaves are done in wood which projects and have no exposed rafters. The raking is a wood fascia and frieze with no special features.

The main windows on the first floor are flat two sash (double hung) with a plain lintel. There are no side elements, but the sill is of lugsill type. Both lintel and sill are done in smoothly cut stone. The second floor windows are two sash with one upper and one lower. There are two circular windows in the uppermost storey of section two.

There are two identical doors, one main and one secondary, located off-center on the main floor.  Their structural openings are flat with plan, cut stone surround heads and sides. The architrave type is plain with embrasure. The side panels are recessed on both sides and the transom panels are plain and recessed. The doors are double, four panel doors, and the panels are recessed with moulded railings. The glazing on the door was undeterminable.

The location of the main staircase is at the main door. They extend straight from the main door parallel to the exterior wall from a low porch supported by wooden blocks.

One of the more interesting features of the building is the centrally located bell tower which is square in shape, supported at four corners by wood columns having bracketed eaves and scroll worked corner brackets. Topping the steep cupola roof is a flag pole which could be original. The sides of the cupola below the roof are open at this time and the bell has been removed.

8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW				
☐ PREHISTORIC	☐ ARCHEOLOGY-PREHISTORIC	☐ COMMUNITY PLANNING	☐ LANDSCAPE ARCHITECTURE	☐ RELIGION	
☐ 1400-1499	☐ ARCHEOLOGY-HISTORIC	☐ CONSERVATION	☐ LAW	☐ SCIENCE	
☐ 1500-1599	☐ AGRICULTURE	☐ ECONOMICS	☐ LITERATURE	☐ SCULPTURE	
☐ 1600-1699	☒ ARCHITECTURE	☒ EDUCATION	☐ MILITARY	☐ SOCIAL/HUMANITARIAN	
☐ 1700-1799	☐ ART	☐ ENGINEERING	☐ MUSIC	☐ THEATER	
☒ 1800-1899	☐ COMMERCE	☐ EXPLORATION/SETTLEMENT	☐ PHILOSOPHY	☐ TRANSPORTATION	
☐ 1900-	☐ COMMUNICATIONS	☐ INDUSTRY	☐ POLITICS/GOVERNMENT	☐ OTHER (SPECIFY)	
		☐ INVENTION			

SPECIFIC DATES 1889

BUILDER/ARCHITECT R. Hobbs, contractor

STATEMENT OF SIGNIFICANCE

The Washington School, constructed in 1889 of limestone quarried at Peoa, Utah is the remaining structure of the three public schools constructed in Park City in the late nineteenth century that followed the "ward school" concept. In addition, the structure is one of the few remaining buildings which survived the Great Fire of June 19, 1898.

HISTORY

Park City, Utah, quickly became one of the leading and most profitable argentiferous lead mining areas in the world. The initial discover date is cited as 1868, but it was the Ontario Mine, sold to George Hearst in 1872, that initiated efforts to mine lode ores and acted as the catalyst for Park City's reputation as a bonanza camp. The district grew rapidly attracting a diverse population, with commercial and social activity centered in the town of Park City.

The increase in population and prosperity affected Park City's development from a settlement, to a camp, and finally to a town. Within such a framework of development the social environment underwent changes, with various aspects of that environment needing attention. Education, practically from the outset, became of particular importance.

The first educational efforts in Park City culminated in the establishment of the Ontario School, in 1875. Other reports indicate that earlier in the winter of 1875, John L. Street and George C. Snyder sponsored a school taught by Dominic Dignan; followed by the Ontario School, which was supported by subscriptions from the Ontario miners, and also from donations. Following closely were other schools sponsored by the Catholic Church, Congregational Church and the Public Free School No. 12.

The 1870's and 1880's proved a difficult period for public schools in Park City. Tax measures to aid public education were voted down and in addition, the presence of other schools, Saint Mary's (Catholic) and the Park Academy (Congregational), created alternatives to public education. The Free School was originally run by the New West Education Commission, Congregational Church, but sponsorship was later dropped because of financial difficulties. The church shortly thereafter sponsored the Park Academy. In 1883 citizens voted down a school tax levy;² children were to be sent to either Saint Mary's (still remaining) or the Park Academy.

¹William McPhee, The Trail of the Leprechaun: Early History of a Utah Mining Camp (Hicksville, N.Y., 1977), p. 69; J. Weston Woodbury, "A History of the Park City School District," (M.S. Thesis, University of Utah, 1960).

²Ibid., pp. 69-78; Woodbury, Park City School District, p. 57

9 MAJOR BIBLIOGRAPHICAL REFERENCES

McPhee, William M. The Trail of the Leprechaun: Early History of a Utah Mining Camp Hicksville, N.Y. 1977

Woodbury, J. Weston, "A History of the Park City School District." M.S. thesis, University of Utah, 1960

Park City School District No. 12, Treasurer Ledger, August 1880, to June 1897. Park City Board of Education Office

10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY less than one acre

QUADRANGLE NAME Park City East, Utah

QUADRANGLE SCALE 1:24000

UTM REFERENCES

458-020 A 12 457990 44991210

ZONE EASTING

NORTHING

B
ZONE EASTING

NORTHING

C

D

E

F

G

H

VERBAL BOUNDARY DESCRIPTION

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE

CODE

COUNTY

CODE

STATE

CODE

COUNTY

CODE

11 FORM PREPARED BY

NAME / TITLE

Philip F. Notarianni, Historian

ORGANIZATION

Utah State Historical Society

DATE

March 31, 1978

STREET & NUMBER

307 West 2nd South, Suite 1000

TELEPHONE

533-6017

CITY OR TOWN

Salt Lake City,

STATE

Utah

12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL

STATE X

LOCAL

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

STATE HISTORIC PRESERVATION OFFICER SIGNATURE

TITLE

SHPO

DATE

May 24, 1978

FOR NPS USE ONLY

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

DATE 12-8-78

ATTEST: William H. Brownham
KEEPER OF THE NATIONAL REGISTER

DATE

SIGNATURE OF REGISTRATION

William H. Brownham 12-8-78

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

FOR NPS USE ONLY

RECEIVED

JUN 6 1978

DATE ENTERED

DEC 8 1978

CONTINUATION SHEET

ITEM NUMBER 8

PAGE 2

Population growth, apparently increased a demand, as reports indicated an enrollment of one hundred during the 1885-1886 school year. At that time the Public Free School, District No. 12³ had John F. Bledsoe as principal, later replaced by Miss Lizzie Holding, assisted by Miss Mary Kelly. During the 1886-1887 year, C.A. Short was hired as principal, with assistants Mrs. F. V. Davis and Miss E. L. Stalker. Enrollment increased to 162. In 1888, Professor M. G. Hoover replaced Short, with rolls climbing to 194 students.

During 1888, the Trustees of School District No. 12 debated the issue of building new schools. Opposition formed against the idea of a large central school because of a lack of a sufficient population and a lack of property valuation to provide for construction. This followed from an earlier meeting, in July 1888, in which interest was generated in the building of two ward school houses (political "wards")-upper and lower Park Avenue. This system was favored, and as a result studies were made, and plans obtained, of two existing schools -- one a ward school in Grand Haven, Michigan, and the other the school at Lynn, near Ogden, Utah.⁴

The June 15, 1889 issue of The Park Record related that the old public school house on Park Avenue was to be demolished to make way for a new structure. In July the Trustees of District No. 12 decided that the school should be constructed of rock, not lumber, and would contain three rooms, each 30 by 30 feet in size, with 16 foot ceilings. A contract was let to R. Hobbs, and grading commenced, but the excessive amount of grading necessary to prepare the lot caused a delay in the structure's completion.⁵

The rock building, in contrast to the red brick used in later structures, was completed in the late fall of 1889, at a cost of about \$13,000.⁶ Classes for the elementary grades commenced on November 18, 1889, and The Park Record quickly labeled the building as ". . . one of the finest in the state." The school, known originally as the Central School, or Building No. 1, was the first of three schools built in the 1880s and 1890s to accomodate Park City's growing population. School Buildings No. 2 and No. 3 were erected in 1891 and 1895 respectively. On July 12, 1897, F. R. Davis, Clerk of District No. 12, suggested that due to confusion, the Central School, and Buildings No. 2 and 3 be named the Washington, Jefferson, and Lincoln Schools. Davis' motion carried.⁸

³The first record of this district is a Treasurer's Ledger, dated August 10, 1880.

⁴The Park Record, July 14, 1888; December 1, 1888. In the July, 1888 meeting, Frank E. James stated that by law the trustees were not allowed to bond the school district or involve it in heavy debt; therefore, the board decided to postpone a decision until 1889, in time to have increased the building fund.

⁵The Park Record, June 15, 1889; July 27, 1889; September 14, 1889; Park City School District No. 12, Treasurer Ledger, August, 1880 to June 1897, p. 49, Hobbs was paid \$348.55.

⁶Sources vary from \$10,5550.00 to \$13,807.71.

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

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CONTINUATION SHEET

ITEM NUMBER 8 PAGE 3

⁷The Park Record, November 9, 1889.

⁸Record of District School No. 12, July 8, 1895- July 6, 1906, pp. 38,39.

The Washington School continued to function as an important part of Park City's educational program until 1931. At that time the school and lot were listed for sale, the Trustees having decided to close the school in the term, apparently due to declining enrollments. It was sold in 1936 to the Veterans of Foreign Wars for \$200.00. A new central school, the Marsac Elementary School, was constructed in 1936 when the Trustees voted to build a new central elementary school rather than remodeling the Jefferson or Lincoln schools.

Thus, the Washington School remains and is most significant because of its architectural detailing (see Item 7) and its role in documenting the history of public education in Park City, Utah. The present owner has granted the Utah State Historical Society a preservation easement on the facade to insure the building's preservation.

⁹Woodbury, Park City School District, p. 61; Hazel T. Taylor, Clerk, to Kent Powell, Historian, Utah State Historical Society, October 22, 1971.

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

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DATE ENTERED	DEC 8 1978

CONTINUATION SHEET

ITEM NUMBER 9 PAGE 2

The Park Record, July 14, 1888; December 1, 1888; June 15, 1889; July 27, 1889;
September 14, 1889; November 9, 1889.

Record of District School No. 12, July 8, 1895 - July 6, 1906. Park City Board of
Education Offices.















RECEIVED
SEP 06 1983
PARK CITY
MUNICIPAL CORP.



CUSTOM BUILDERS/DEVELOPERS

HDC. rec - Sept. 21
B. J. H. Oct. 4B

September 1, 1983

Mr. Bill Ligety
Director of Planning
Park City, Utah 84060

Re: Washington School Application for
Conditional Use Permit #378

Dear Mr. Ligety:

Regarding our application yesterday for restoration of the Washington School, we would like to provide some additional information for your consideration. Please be advised that we are working closely with the Utah State Historical Society, the Utah Heritage Foundation and the National Trust for Historical Preservation on this project.

Our purpose is to renovate the 100 year old historic school house to the Washington School Inn in order to save the building from demolition or accidental loss, to provide overnight lodging facilities for guests, and to provide education and pleasure for the community in the preservation of an important and beautiful Park City landmark.

The exterior of the building will be restored as completely as possible to the original detail of the building including the fabulous roof and bell tower. The building sits on a lot 75' x 75'. The adjacent lot on Woodside Avenue of 75' x 75' will be dedicated green space and provide garden area for the restored building. Total site square footage is 11,250.

The interior of the building will be refurbished and professionally decorated to reflect the historical value of the structure and to meet all current building and safety codes for lodging of overnight guests.

Parking will be provided in an adjacent parking structure provided by agreement with Old Town Associates.

The Inn will provide overnight lodging facilities with 14 rental bedrooms, public rooms such as lounge, spa, sauna, locker rooms and dining room for serving continental breakfast to guests. The

Mr. Bill Ligety
Page two
September 1, 1983

Inn will also contain living quarters for the innkeeper.

The Inn should influence other property owners in the neighborhood to restore and maintain buildings. The use of the school house as the Washington School Inn will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity.

We are appreciative of your assistance with this project.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Malcolm S. MacQuoid', written in a cursive style.

Malcolm S. MacQuoid

MSM/nb



Community Development/Engineering
Building and Planning Departments

September 26, 1983

The Mac Quoid Company
P.O. Box 1825
Park City, Utah 84060
Attn: Mr. Malcolm S. Mac Quoid

RE: WASHINGTON SCHOOL
545 Park Avenue

Dear Mac:

The Park City Historic District Commission approved your conditional use application for a Bed and Breakfast Inn to be located at 545 Park Avenue at their regularly scheduled September 21, 1983 meeting. The Commission stressed that they approved the use because by doing so, a significant, Nationally Registered Historic Building would be restored. The approval was granted on the following two conditions:

1. That an agreement acceptable to the City Attorney that commits the developer to provide 11 parking stalls for the Washington School be recorded.
2. That if the land to the north of the Sun Classics building is under City ownership, that the developer reach an acceptable agreement with the City for use of the land for stairways and parking access. The agreement should protect the possibility of closing the driveway to Main Street if necessary.

Please keep in mind that the Commission approved only the use of the building, the Staff will review the final drawings for the project. Besides the standard submittal requirements, the Staff is particularly interested in reviewing the landscape plans, the elevations of the parking structure, stairway locations and details, alteration of rock walls, fencing details, details for the decorative iron railings and signage. Modifications to the Sun Classics building will be considered as a separate application.

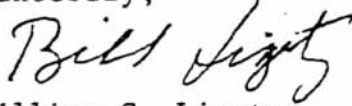
The Staff is satisfied with the drawings for the school. However, while we would approve the building with the additional dormers, we caution you that the Federal Government may question the approval of the building for the tax

Washington
September 26, 1903
Page Two

credits with such modifications.

We look forward to continue working with you toward the completion of a successful project. If you have any questions, please don't hesitate to contact either Alison Child or me at 649-6714.

Sincerely,



William C. Ligety
Planning Director

WCL:ew

Project Description

- 1. On a separate sheet of paper, give a general description of the proposal and answer the questions below. Attach it to the application (See Submittal Requirement #2).**

This Application requests a new conditional use permit (“CUP”) to allow the Washington School House to change from its current operations as a Bed and Breakfast Inn to a Hotel, Minor. The Washington School House was originally constructed in 1889 from limestone quarried in Peoa, Utah. It is a landmark structure that is listed on the Park City Historic Sites Inventory and the National Register for Historic Places. A prior owner granted the Utah State Historical Society a preservation easement on the building’s façade.

On September 21, 1983, the Historic District Commission granted a conditional use permit that authorized a 15-unit bed and breakfast on the property. The Historic District Commission granted the approval to encourage the restoration and adaptive reuse of the Washington School House. A recorded easement (Entry No. 225977) provides 11 parking spaces for the Washington School House.

The property has been the subject of several subsequent approvals. In 2001, the City approved a plat that combined 7 old town lots into the one lot of record for the historic building. The lot is currently identified as Parcel No. WSI-1. At the same time, the City approved renovations to the non-historic, detached garage on the property because it qualifies as an allowed accessory building.

On November 10, 2010, the Planning Commission approved a CUP for a private recreation facility, which allowed a lap pool behind the Washington School House. In 2012, the Planning Commission approved a modification to the CUP it approved in 2010. The modification expanded the site plan to include landscaping improvements on Lot 34 (identified by Parcel No. PC-78-88-89-C), which is located on the northwest side of Parcel No. WSI-1. The modification also included changes to the screening of mechanical equipment.

The Applicant completed a total interior renovation of the Washington School House in 2011. As part of the renovation, the Applicant decreased the number of rooms from 15 to 12. This application requests a new CUP to operate a 12 room Hotel, Minor. The CUP will apply to both Parcel No. WSI-1 and Parcel No. PC-78-88-89-C.

a. How will the proposed use “fit-in” with surrounding uses?

The Washington School House operated as a Bed and Breakfast and offered 15 rooms for nightly rental from 1983 to 2011. After its renovation in 2011, the Washington School House continued to operate as a Bed and Breakfast, but it decreased the number of rooms available from 15 to 12. The proposed Hotel, Minor will offer 12 rooms for nightly rental. This use is comparable to the existing Bed and Breakfast use.

The Washington School House is in the Historic Residential (HR-1) Zoning District (“HR-1

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PARK CITY
PLANNING DEPT

*Washington School House
Hotel, Minor CUP Application
Supplemental Information*

Zone”). The HR-1 Zone has numerous nightly rentals. The nightly rental of rooms from the proposed Hotel, Minor is consistent with other nightly rental uses in the HR-1 Zone.

b. What type of service will it provide to Park City?

The proposed Hotel, Minor will offer 12 rooms for nightly rental. The Hotel, Minor will offer facilities, amenities, and activities customarily associated with a hotel and its guests.

c. Is the proposed use consistent with the current zoning district and with the General Plan?

A Hotel, Minor is consistent with the General Plan. The General Plan encourages adaptive reuse of historic structures, preservation of the character of historic sites, and prevention of the loss of historic resources. A Hotel, Minor qualifies as an adaptive reuse of this historic school house. The Hotel, Minor will facilitate the ongoing preservation and maintenance of this historic site.

The General Plan divides the City into neighborhoods. The Washington School House is in the Old Town neighborhood. The General Plan encourages preservation of the aesthetic of Old Town. The Washington School House has been an important part of Old Town’s aesthetic for many decades. The Washington School House’s façade is now protected by a preservation easement. This Application does not propose any modifications to the exterior of the historic school house. In fact, the Hotel, Minor will help support preservation of this historic building.

The General Plan also recognizes that Old Town contains a mix of primary homes, secondary homes, and nightly rentals. The Hotel, Minor will offer rooms for nightly rental, which is consistent with the existing use and the many other nightly rentals in the neighborhood.

A Hotel, Minor is permitted as a conditional use in historic structures in the Historic Residential (HR-1) Zoning District. The Washington School House is located in the HR-1 Zone and qualifies as a historic structure. As a result, grant of a CUP to allow operation of a Hotel, Minor is consistent with the HR-1 Zone.

d. Is the proposed use similar or compatible with other uses in the same area?

As described above, the General Plan recognizes that this Old Town neighborhood includes a mix of primary homes, secondary homes, and nightly rentals. The proposed Hotel, Minor is compatible with the other nightly rentals in this neighborhood.

Additionally, as described above, the HR-1 Zone permits a Hotel, Minor as a conditional use. The HR-1 Zone also permits the following uses that are similar to the proposed Hotel, Minor: Nightly Rental; Bed and Breakfast Inn; and Boarding House, Hostel.¹

¹ Nightly Rentals are an approved use in the HR-1 Zone. Nightly Rental of a Lockout Unit, Bed and Breakfast Inns, and Boarding House, Hostels are conditional uses in the HR-1 Zone.

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PARK CITY
PLANNING DEPT

*Washington School House
Hotel, Minor CUP Application
Supplemental Information*

The proposed Hotel, Minor is similar to the Bed and Breakfast Inn that has operated on the property for the past 35 years. It is also similar to the Blue Church Lodge and the numerous nightly rentals that are located within close proximity to the Washington School House.

e. Is the proposed use suitable for the proposed site?

Yes, the Washington School House has operated as a Bed and Breakfast Inn on this property for 35 years. In 2011, the building underwent a complete interior renovation. The Washington School House now has 12 rooms that are suitable for use as a Hotel, Minor.

f. Will the proposed use emit noise, glare, dust, pollutants, and odor?

Like the existing Bed and Breakfast, the Hotel, Minor will be operated in compliance with the City's noise ordinance. This application does not propose any exterior lighting changes. If the Washington School House proposes lighting changes, it will apply for a separate permit, if required by the City Code. The proposed Hotel, Minor will not emit abnormal dust, pollutants, or odor.

g. What will be the hours of operation and how many people will be employed?

Similar to the existing Bed and Breakfast, guests may be on the premises 24 hours a day. Staff, including a night manager, are available to assist guests during these times. The Washington School House anticipates that it will continue to employ approximately 15 full and part-time employees. The Washington School House does not intend to increase its staff as a result of this contemplated change.

h. Are there other special issues that need to be mitigated?

The proposed Hotel, Minor will not create special issues that need to be mitigated. Functionally, the proposed use will continue much the same as the existing, Bed and Breakfast use.

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FEB 18 2020

PARK CITY
PLANNING DEPT.



Department of Community Development
Engineering • Building Inspection • Planning

Via facsimile transmission to (435) 940-1032
Originals to follow via US Mail

November 5, 2001

Ms. Jodi Hoffman, Esq.
Hoffman Law
PO Box 681333
Park City, Utah 84068

Mr. Frank O'Bryan
c/o Washington School Inn
PO Box 17689
Irvine, CA 92623

RE: Washington School Inn; Conditional Use Permit Status

Dear Ms. Hoffman and Mr. O'Bryan:

As you are aware, on October 25, 2001, the Planning Department discovered a 1983 file containing Washington School Inn's (WSI) 1983 conditional use permit application and related documentation. Contents of that file were copied to you shortly thereafter. As the cover letter accompanying the file copy explains, that file was not discovered by Planning Department staff despite more than ten hours of diligent searching due to labeling and filing pursuant to a Main Street address. In light of this recent discovery, I have reviewed the file in order to make determinations concerning the status of WSI's apparent conditional use permit and its effect on previous determinations, including the September 27th and October 2nd non-conforming use status and expansion letters; the October 4th Land Management Code (LMC) interpretation letter; and the October 12th letter concerning the status of the June 7, 2001 lot combination plat. This letter shall serve as my official notice of determinations regarding those issues.

WSI Conditional Use Permit Status:

The 1983 File contents, together with Historic District Commission meeting minutes dated September 23, 1983, indicate that the Historic District Commission issued a conditional use permit for WSI to operate as a Bed & Breakfast on September 21, 1983. This conditional use permit was issued pursuant to Land Management Code Section 3.7, in effect on that date. More specifically, the conditional use permit authorized fifteen (15) inn units at property located 545 Park Avenue (lots 10, 11, and 12, Block 5 of the Park City Survey). Two conditions of approval were attached to the CUP, both addressing the developer's need "to provide 11 parking stalls for the Washington School Inn."

Washington School Inn
Conditional Use Permit; LMC Determinations
November 5, 2001
Page 2 of 3

September 27th and October 2nd Non-Conforming Use Status and Expansion Determinations:

Because I have determined that WSI has a valid conditional use permit to operate as a Bed & Breakfast Inn, I hereby withdraw my September 27, 2001 determination of non-conforming status. Furthermore, because the WSI is not a non-conforming use, my determinations of enlargement of non-conforming use dated September 27 and October 2, 2001 are likewise hereby withdrawn.

October 4th Land Management Code Determinations:

On October 4, 2001, I issued a letter to John Plunkett and Barbara Kuhr adopting Patrick Putt's LMC determinations as set forth in his September 27, 2001 letter to Mr. Plunkett and Ms. Kuhr. My determinations affirming Mr. Putt's findings remain unchanged.

Status of June 7, 2001 Lot Combination Plat:

On October 12, 2001, I issued a letter to Jodi Hoffman and Frank O'Bryan finding that the aforementioned lot combination plat was void ab initio because it unlawfully enlarged a non-conforming use since WSI did not possess a conditional use permit to operate as a bed & breakfast inn. Because I have determined that WSI does possess a valid conditional use permit to operate as a bed & breakfast inn, I hereby withdraw my October 12th finding. I find that the June 7, 2001 lot combination plat legally combined 7 lots owned by WSI into one lot of record.

Effect of the Conditional Use Permit on WSI's Current Project:

1. The garage renovation does not require a new conditional use permit nor modification to WSI's 1983 conditional use permit. Accessory buildings and uses are allowed uses in the HR-1 District pursuant to the Land Management Code (LMC), Section 15-2.2-2(A). Accessory buildings and uses are defined in the LMC as follows:

An "Accessory Building" is:

A building on the same lot as the principal building and that is:

- a. Clearly incidental to, and customarily found in connection with such principal building;
- b. is operated and maintained for the benefit of the principal use located on the same lot; and
- c. is not a dwelling unit. (LMC § 15-15-1.3)

An "Accessory Use" is a "land use that is customarily incidental and subordinate to the primary use located on the same lot." (LMC §15-15-1.4)

I find that the WSI garage meets these above-listed criteria. Because the garage is allowed in the HR-1 district, no additional conditional use permit or modification to the 1983 permit is required, provided the character and scope of its use remains consistent with the aforementioned LMC definitions. This qualification further applies to the use of the proposed flat-roof/terrace element of the garage or

Washington School Inn
Conditional Use Permit; LMC Determinations
November 5, 2001
Page 3 of 3

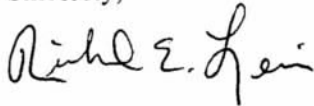
other permitted improvements. No additional conditional use permit or modification to the 1983 permit is required, provided use of the flat-roof/terrace element conforms to the aforementioned definitions and remains consistent in character and scope with the use of other residential flat-roof/terrace elements in the HR-1 district. Programming the flat-roof/terrace for outdoor commercial activities which are inconsistent with the character and scope of bed and breakfast inn operations is not permitted under the 1983 conditional use permit or the HR-1 district regulations.

2. I also find that the remaining elements of the current WSI project, including landscaping, grading, and exterior stairs, do not require a new conditional use permit nor modification to the 1983 permit.

Pursuant to the Land Management Code, Section 15-1-17(A), my decision(s) applying the Land Management Code to the aforementioned issues are appealable to the Planning Commission. Any such appeal must be made in writing and submitted to the Community Development Department within ten (10) calendar days. Please refer to LMC Section 15-1-17(F) for further information concerning the required form of appeal. The appeal deadline is November 15, 2001. The filing fee for an appeal to the Planning Commission is \$50.

If you have any questions, please contact me at 615-5057.

Sincerely,



Richard E. Lewis, AICP
Community Development Director

- C. Toby Ross, City Manager
Timothy C. Twardowski, Assistant City Attorney
Dwayne A. Vance, Esq. (via facsimile only)
John Plunkett and Barbara Kuhr (via facsimile only)



PLANNING DEPARTMENT

**THE PLANNING COMMISSION
PARK CITY, SUMMIT COUNTY, UTAH**

**RE: CONDITIONAL USE PERMIT FOR A 'RECREATION FACILITY, PRIVATE'
IN THE (HR-1) HISTORIC RESIDENTIAL ZONE**

The Planning Commission of Park City, Utah met on Wednesday, November 10, 2010 for a regularly scheduled and duly noticed meeting. After determining that a quorum was present, the Commission conducted its scheduled business. Among the items heard by the Commission was the 543 Park Avenue Conditional Use Permit application.

NOTICE OF PLANNING COMMISSION ACTION:

Project Address: 543 Park Avenue
 Project Number: PL-10-01066
 Type of Hearing: Conditional Use Permit – Recreation Facility, Private (swimming pool) for Bed & Breakfast
 Hearing Date: November 10, 2010

Commission Action: **APPROVED** the request pursuant to the findings of fact, conclusions of law and conditions of approval as written below.

Findings of Fact - 543 Park Avenue

1. The property is located at 543 Park Avenue.
2. The zoning is Historic Residential (HR-1).
3. The proposed Conditional Use Permit is for a private recreation facility (lap pool).
4. The Washington School Inn is a landmark structure listed on the Park City Historic Sites Inventory, when the site was nominated to the National Register in 1978, the building was vacant and in disrepair.
5. On September 21, 1983, the Historic District Commission granted a conditional use permit for the site to be rehabilitated and adaptively reused as a bed and breakfast. The site continues to be used as a bed and breakfast.
6. On March 22, 1984, Park City Municipal Corporation entered a non-exclusive easement agreement for the parking access and use of the staircase located as the north 21.5 feet of Lot 11 and all of Lot 36, Block 9 of the amended plat of Park City Survey.
7. On October 9, 1984 an easement agreement (entry #225977) granted the Washington School Inn a private easement for the 11 automobile parking spaces.

8. On June 7, 2001, the City Council approved a plat amendment to combine seven old town lots into one lot of record on the site where the Inn is located.
9. The dimensions of the proposed lap pool are ten feet wide by forty feet long.
10. Retaining walls are necessary due to the steepness of the existing grade in the rear yard. The proposed retaining walls exceed six feet in height in some locations within the building pad area. Six foot high retaining walls and fences within the side yard setbacks and four foot high retaining walls and fences within the front setbacks are permitted by the Code. 15-4-2(1) allows an increase to six foot high retaining walls and fences in the front yard setback.
11. Additional parking requirements for the site are not affected by this application. Parking by guests or employees shall only occur in designated parking associated with the original Conditional Use Permit for the bed and breakfast.
12. The lap pool is for the use of the Washington School Inn guests. No additional traffic will be produced by the addition of a lap pool on the property.
13. The heated lap pool will not be enclosed. No enclosed structures are included within this application. The pool will be fenced.
14. The application includes an open shade structure and landscape improvements. Approval for compliance with the historic district design guidelines is required prior to issuance of a building permit.
15. Passive use of the Washington School Inn garden and grounds by patrons of the Inn are a permitted use in the HR1 zone and consistent with the 1983 conditional use permit approval. Organized events for the Washington School Inn patrons and/or the general public including parties weddings, or other public assemblies, are not permitted in the HR1 zone and are outside the scope of the 1983 conditional use permit.
16. The Washington School Inn is identified as a Landmark Structure on the Historic Sites Inventory with a recorded Facade Easement with the State of Utah.
17. The stone walkway and landscape improvements through adjacent lot have been removed and are reflected in the drawings dated November 10, 2010.

Conclusions of Law - 543 Park Avenue

1. There is good cause for this Conditional Use Permit.
2. The Conditional Use Permit is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed Conditional Use Permit.
4. Approval of the Conditional Use Permit subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval - 543 Park Avenue

1. New retaining walls and fences proposed within the private recreation facility conditional use permit may not exceed six feet (6') in height.
2. The outdoor pool and spa shall be restricted to use between the hours of 7 am to 10 pm. A sign must be posted by the pool area stating the operating hours of the pool.
3. This approval is for a private recreation facility. Any additional uses, including public assemblies, must be reviewed independently and are outside the scope of the 1983 bed and breakfast conditional use permit and the present private recreation facility conditional use permit.
4. No guest or employee parking shall occur on Woodside Avenue or Park Avenue. Guest and employee parking shall adhere to the 1983 Bed & Breakfast conditional use permit approval.
5. The applicant will apply for a building permit from the City within one year from the date of Planning Commission approval. If a building permit has not been granted within one year's time, this Conditional Use Permit will be void.
6. Any modifications to signs shall be reviewed under separate application.
7. An approved Historic District Design review is required prior to building permit issuance.
8. Lighting of the proposed pool and deck will be restricted to hours of pool operation, 7 am to 10 pm.
9. Delivery and service vehicles to the Washington School Inn and related pool area will occur off of Park Avenue. Woodside Avenue may be used by maintenance vehicles to service pool only. Two or more complaints will require Planning Commission review. An administrative review will be conducted by Staff one year from the date of approval.
10. Noise levels will comply with 6-3-9 of the Park City Municipal Code.
11. Retaining walls and fences up to six feet (6') in height will be allowed in the front yard setback and side yard setbacks.
12. Improvements in the City right-of-way will require an Encroachment Agreement.
13. Mechanical equipment pad shall have roof structure shielding the mechanical equipment from view above.

Best Regards,



Kayla Sintz
Planning Department



August 22, 2012

P.C.E.
PO Box 536
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

<u>Application #</u>	PL-12-01535
<u>Subject</u>	Washington School House
<u>Address</u>	543 Park Avenue
<u>Description</u>	Modification to Conditional Use Permit
<u>Action Taken</u>	Approved
<u>Date of Action</u>	August 21, 2012

On August 22, 2012 the Planning Commission called a meeting to order, a quorum was established, a public meeting was held, and the Planning Commission approved the modification to the Conditional Use Permit based on the following:

Findings of Fact:

1. The property is located at 543 Park Avenue.
2. The zoning is Historic Residential (HR-1).
3. On November 10, 2010, the Planning Commission approved a Conditional Use Permit for a private recreation facility. In the HR-1 zone, a Conditional Use Permit is required for a private recreation facility. A private lap pool for the bed and breakfast falls under the definition of a private recreation facility within the Land Management Code (LMC). The approved CUP allowed a lap pool behind the Washington School Inn.
4. On April 24, 2012, the City received a request for a modification to the November 10, 2010 approved CUP to expand the site to include Lot 34 of Block 5 of the Park City survey.
5. Lot 34 of Block 5 of the Park City survey is located on the north-west corner of the property. It is owned by the owner of the Washington School Inn. The lot is

a single lot of record, dimensioned twenty-five feet wide by seventy-five feet deep.

6. The proposed modification encloses Lot 34 with the site of the Washington School Inn within a six foot high fence.
7. A conditional use permit can include more than one lot of record.
8. Multiple lots of record may be enclosed by a fence.
9. The fence was installed in violation of the Conditional Use Permit. The fence enclosed the entire rear yard of the Washington School Inn including Lot 34 of Block 5 of the Park City survey. Lot 34 was not included in the site for the November 10, 2010 CUP approval.
10. A modification of the CUP is required to allow the fence to stay in the current location and for the owner to receive a Certificate of Occupancy from the City.
11. No structures are proposed on Lot 34. Stepping stones, vegetation, and the extension of the fence around the lot are the only improvement proposed on Lot 34.
12. If the owner plans to build a structure on lot 34 in the future, the conditional use permit will have to be modified to review the proposed change. If the owner chooses to develop the lot separately, the CUP must be modified to no longer include Lot 34.
13. The Washington School Inn is a landmark structure listed on the Park City Historic Sites Inventory and the National Register for Historic Places (listed 1978). The stone building was built in 1889. According the Park City Historic Sites Inventory, when the site was nominated to the National Register in 1978, the building was vacant and in disrepair.
14. On September 21, 1983, the Historic District Commission granted a conditional use permit for the site to rehabilitated and adaptively reused as a bed and breakfast. The site continues the use as a bed and breakfast.
15. On March 22, 1984, Park City Municipal Corporation entered a non-exclusive easement agreement for the parking access and use of the staircase located as the north 21.5 feet of Lot 11 and all of Lot 36, Block 9 of the amended plat of Park City Survey.
16. On October 9, 1984 an easement agreement (entry #225977) granted the Washington School Inn a private easement for the 11 automobile parking spaces.
17. On June 7, 2001, the City Council approved a plat amendment to combine seven old town lots into one lot of record.
18. Parking requirements for the site are not affected by this application.
19. The exterior of the existing historic Landmark Structure will not be modified.
20. Passive use of the Washington School Inn garden and grounds by patrons of the Inn are a permitted use in the HR1 zone and consistent with the 1983 conditional use permit approval.

21. Organized events for the Washington School Inn patrons and/or the general public including parties, weddings, or other public assemblies, are not permitted in the HR1 zone and are outside the scope of the 1983 condition use permit.

Conclusions of Law:

1. There is good cause for this Conditional Use Permit.
2. The Conditional Use Permit is consistent with the Park City Land Management Code and applicable State Law.
3. Neither the public nor any person will be materially injured by the proposed Conditional Use Permit.
4. Approval of the Conditional Use Permit subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The conditions of approval within the November 10, 2010 Conditional Use Permit continue to apply.
2. If the owner plans to build a structure on lot 34 in the future, the conditional use permit must be modified to review the proposed change. If the owner chooses to develop the lot separately, the CUP must be modified to no longer include Lot 34.
3. This approval is for a private recreation facility. Any additional uses, including public assemblies, must be reviewed independently and are outside the scope of the 1983 bed and breakfast conditional use permit and the present private recreation facility conditional use permit.
4. Any modifications to signs, lighting, or landscaping shall be reviewed under the appropriate application.
5. The applicant is required to submit for a review by the Planning Commission by August 22, 2013. The Planning Commission review is for compliance with the Conditional Use Permit.

If you have questions regarding your project or the action taken please don't hesitate to contact me at 435-615-5068 or kcattan@parkcity.org.

Sincerely,

Katie Cattan
Senior Planner



June 25, 2015

P.C.E.
PO Box 536
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

<u>Application #</u>	PL-15-02759
<u>Subject</u>	Washington School House, 543 Park Avenue
<u>Address</u>	543 Park Avenue
<u>Description</u>	Modification of Conditional Use Permit
<u>Action Taken</u>	Approved
<u>Date of Action</u>	June 24, 2015

On June 25, 2015 the Planning Commission called a meeting to order, a quorum was established, a public meeting was held, and the Planning Commission approved the modification of the 1983 Conditional Use Permit (CUP):

Findings of Fact

1. The property is located at 543 Park Avenue, and is currently the home of the Washington School House bed and breakfast.
2. The zoning is Historic Residential (HR-1).
3. The proposed Modification to Conditional Use Permit is to permit the construction of on-site laundry facilities consisting of one (1) commercial size washing machine, one (1) commercial size dryer, one (1) commercial ironing board, one (1) small utility sink, and one (1) heating/cooling unit. The on-site laundry facilities are an auxiliary use of the bed and breakfast, in the non-historic accessory garage structure. The garage is north of and adjacent to the Washington School House building and is located within the same lot of record.
4. The Washington School House bed and breakfast is a landmark structure listed on the Park City Historic Sites Inventory (HSI) and the National Register of Historic Places (listed in 1978). The stone building was constructed in 1889. According to the HSI, the building was vacant and in disrepair at the time of its listing on the National Register in 1978.

5. On September 21, 1983, the Historic District Commission granted a conditional use permit for the site to be rehabilitated and adaptively reused as a bed and breakfast. The site continues to be used as such, and it has twelve (12) guest rooms. The Washington School House provides breakfast, snacks, and other light meals as needed to its guests.
6. On March 22, 1984, Park City Municipal Corporation entered a non-exclusive easement agreement for the parking access and use of the staircase located as the north 21.5 feet of Lot 11 and all of Lot 36, Block 9 of the amended plat of Park City Survey.
7. On October 9, 1984, an easement agreement (entry #225977) granted the Washington School Inn a private easement for the 11 automobile parking spaces.
8. On June 7, 2001, the Park City Council approved a plat amendment to combine seven Old Town lots into one lot of record on the site where the Inn is located.
9. On November 10, 2010, the Planning Commission approved a Conditional Use Permit for a private recreation facility, which included a year-round heated lap pool with connected hot tub and spa located behind the Washington School Inn. bed and breakfast
10. Use of the garage as an accessory structure is an allowed use in the HR-1 zone.
11. The garage has a side yard setback of four feet (4') along the north property line; the required side yard setback is three feet (3'). The garage is not historic.
12. The garage measures approximately 21 feet by 23 feet, or approximately 483 square feet. It is currently used as a storage room to support the bed and breakfast use only; it is not currently being used for parking.
13. The property is currently over footprint for the lot configuration with the existing historic structure and non-historic garage, thus no addition could be added to either existing structure, and no new enclosed building could be placed on the site.
14. Additional parking requirements for the site are not affected by this application. Parking by guests or employees shall only occur in designated parking associated with the original Conditional Use Permit for the bed and breakfast. The 1983 CUP approval did not include the garage as part of the site's parking requirement, thus any current use of the garage for private guest parking was an additional, but not required, benefit to the bed and breakfast.
15. The proposed laundry room does not require additional parking per the requirements of the Land Management Code. The relocation of the laundry room to the accessory structure will not displace any existing parking.
16. Adherence to previously approved associated parking with the original bed and breakfast CUP will be followed. Guests and employees will continue to not be permitted to park on Woodside Avenue. Deliveries and servicing of the bed and breakfast as well as its pool will continue to occur off of Park Avenue, per the existing CUP applications. Because the bed and breakfast will no longer be outsourcing their laundry, there will be a reduction to trucks servicing the site to fulfill the bed and breakfast's laundry needs.

17. The laundry facility in the garage will not interfere with existing access routes for emergency vehicles. The most direct emergency access to the laundry room will be from Park Avenue.
18. Minor exterior changes to the non-historic garage will include revising the design and operation of the existing overhead door, as well as new vents and flues on the south elevation of the structure. Laundry facilities are an auxiliary use to the bed and breakfast. Only laundry for the bed and breakfast will be done on site. Any new exhaust vents will not impact the site's existing open space.
19. Ownership of the current business license will not change. The use is limited to owners and guests of the property.
20. The use is proposed to be contained within the existing accessory structure—the garage, and no new structures are proposed at this time. The garage is not located on a Steep Slope, nor is the property located in the Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance.
21. Staff findings in the Analysis section are incorporated herein.

Conclusions of Law

1. The CUP, as proposed, is not consistent with all requirements of the Park City Land Management Code.
2. The CUP, as proposed, is consistent with the Park City General Plan.
3. Neither the public nor any person will be materially injured by the proposed CUP.
4. Approval of the CUP is subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The applicant shall apply for a building permit from the City within one (1) year from the date of Planning Commission approval. If a building permit has not been granted within one year's time, this Conditional Use Permit will be void.
2. An approved Historic District Design Review will be required prior to building permit issuance for any exterior work.
3. Fire sprinklers will be required by the Chief Building Official at the time of review of the building permit submittal.
4. Any improvements in the City right-of-way will require an Encroachment Agreement with the City prior to building permit issuance.
5. The needed exterior condenser will comply with LMC 15-2.2-3(I) which requires screened mechanical equipment and similar structures to be located a minimum of 5 feet from the side lot line. Any new exterior exhaust vents and similar equipment shall be screened with vegetation.
6. The laundry room shall only be used between the hours of 7am and 8pm.
7. The approval is for the on-site laundry room use only. Any additional uses would require additional CUP modification and are outside the scope of the 1983 bed and breakfast conditional use permit, the 2010 private recreation facility conditional use permit, and this 2015 modification to CUP.
8. No guest or employee parking shall occur on Woodside Avenue or Park Avenue. Guest and employee parking shall adhere to the 1983 conditional use permit

approval. Service and deliveries for the Washington School House Bed and breakfast shall continue along Park Avenue.

9. Any new signage will require a new sign permit.
10. No new lighting is proposed at this time. Any new lighting shall be reviewed and approved by the Planning Department prior to installation.
11. Noise levels shall comply with 6-3-9 of the Park City Municipal Code.

If you have questions regarding your project or the action taken please do not hesitate to contact me at 435-615-5067 or anya.grahn@parkcity.org.

Sincerely,

A handwritten signature in black ink that reads "Anya E. Grahn". The script is cursive and fluid, with the first letters of the first and last names being capitalized and prominent.

Anya Grahn
Historic Preservation Planner



Community Development/Engineering
Building and Planning Departments

AGENDA

HISTORIC DISTRICT COMMISSION MEETING

September 21, 1983

MARSAC SCHOOL

5:00 p.m.

Present
Gene
Nina
Jacqie
Alison
max
Borofix
Erna
Absent
Paul
Alb

WORK SESSION

5:00 p.m.

1. Park Avenue Rezoning - Discussion of rezoning options for Park Avenue between Heber Avenue and 11th Street.
2. Demolition - Discussion of incentives to discourage the demolition of historic buildings.
3. Bed and Breakfast - Discussion of elements that an ordinance regulating Bed and Breakfast accommodations should contain.

REGULAR MEETING

6:00 p.m.

1. Washington School Inn - Consideration of Conditional Use Application for Bed and Breakfast Inn proposed for 545 Park Avenue, in the HR-1 Zone.
2. Election of Chairperson

Posted: 9/12/83
Published: 9/15/83

HISTORIC DISTRICT COMMISSION

DIRECTORS RECOMMENDATIONS

September 21, 1983

5:00 p.m.

I. Washington School Inn - Consideration of Conditional Use Application for Bed and Breakfast Inn proposed for 545 Park Avenue, in the HR-1 Zone.

This proposal is to restore the Washington School to a Bed and Breakfast Inn. Fourteen individual rental rooms would be provided in addition to a caretaker's unit. The exterior of the building would be restored to its original condition with the exception of the addition of new dormers. The interior would be completely redesigned to accommodate the proposed use.

The Washington School is located in the Historic Residential Zone (HR-1) where hotels and lodging facilities are not allowed. However, there is a provision in the Land Management Code Section 3.7 (see attached copy) which gives the Historic District Commission the authority to approve uses that are not consistent with the zoning regulations when such an approval is necessary to preserve an historic structure.

Since the Washington School is a Nationally Registered Historic Site, Section 3.7 seems especially well suited to this proposal.

The following are the items in the proposal do not conform to the existing zoning regulations:

- 1) The use of rooms in the proposed "Inn".
- 2) The parking structure would be located off the property, it does not meet side yard setback requirements of the zone, and it exceeds the maximum amount of hard surfaced area allowed for parking.
- 3) Two parking stalls are 9' x 20' when 10' x 20' is the minimum for outside spaces.

The parking for the "Inn" is proposed to be located directly east of the Washington School on the other side of Park Avenue behind the Sun Classics Building. The existing parking lot behind Sun Classics would be covered with a parking deck that would be accessed from Park Avenue. The upper level of the deck would contain 10 spaces plus a trash area. The lower level would be redesigned to hold 13 cars. Access to the existing parking area is from a driveway that

runs between Main Street and Park Avenue. The access would remain unchanged. There exists a question as to whether the driveway is privately owned or owned by the City. It is the Staff's primary concern that the addition of the second parking level not preclude closing the Main Street access should Main Street be closed to vehicular traffic. The Staff and the ordinance discourage parking lots between Main Street and Park Avenue, however, this situation is different because the Sun Classics's lot already exists and the upper level is to serve a residential use in the HR-1 Zone.

The Staff recommends the application of the more liberal RC Zone parking standard for this project given its location and unit configuration. Parking recommended is .66 spaces per hotel room and 1 space for the caretaker's unit.

If the conditional use permit is approved by the Commission, the Staff will review the final drawings for the project. We have requested that the applicant provide the submittal requirements outlined in the attached lists. The Staff is particularly interested in reviewing the landscape plans, the elevations of the parking structure, stairway locations and details, alteration of rock walls, fencing details, details for the decorative iron railings and signage. Modifications to the Sun Classics building will be considered as a separate application.

The Staff is satisfied with the drawings for the school. However, while the Staff would approve the building with the additional dormers, we caution the applicant that the Federal Government may question the approval of the building for the tax credits with such modifications.

Recommendations

Staff recommends approval of the project on two conditions:

- 1) That an agreement acceptable to the City Attorney that commits the developer to provide all parking stalls for the Washington School be recorded.
- 2) That if the land to the north of the Sun Classics building is under City ownership, that the developer reach an acceptable agreement with the City for the use of the land for stairways and parking access. The agreement should protect the possibility of closing the driveway to Main Street if necessary.

When recorded return to:

Old Towne Associates
P.O. Box 1825
Park City, Utah 84060

Entry No.	225977
REQUEST OF	The McQuoid Company
FEE	ALAN SPRIGGS, SUMMIT CO. RECORDER
\$ 12.00	By Susan Lohman
RECORDED 10-9-84	at 3:45 M

EASEMENT AGREEMENT

This Agreement is made and entered into by and between Old Towne Associates, a Utah general partnership ("Old Towne"), and Sierra Pacific Financial, a California general partnership ("Sierra Pacific").

Recitals:

A. Old Towne is the owner of certain real property located in Park City, Utah and more particularly described in Exhibit "A" attached to this Agreement and incorporated by this reference.

B. Sierra Pacific is the owner of certain real property located at 543 Park Avenue, Park City, Utah known as the Washington School and more particularly described in Exhibit "B" attached to this Agreement and incorporated by this reference.

C. By this Agreement the parties intend to provide an easement for parking purposes whereby the property described in Exhibit "A" will be subject to an easement in favor of the property described in Exhibit "B" for motor vehicle parking purposes, as provided in this Agreement.

Now, therefore, the parties hereto agree as follows:

1. Old Towne hereby grants to Sierra Pacific a private easement for parking purposes, sufficient to allow Sierra Pacific to park 11 automobiles or comparably sized motor vehicles on the property described in Exhibit "A". Such easement shall be a benefit appurtenant to the property described in Exhibit "B" and shall run with title to such property.

2. Old Towne shall improve and maintain the property described in Exhibit "A" sufficient to allow compliance with the easement for parking purposes described herein.

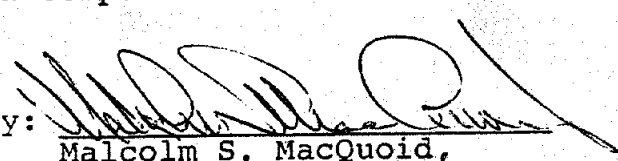
3. This Agreement and the rights and duties provided herein shall be binding on, and shall inure to the benefit of, the successors and assigns of Old Towne and Sierra Pacific, respectively.

316 PAGE 696

In witness whereof, the parties have entered into this Agreement as of the date first written above.

Old Towne Associates,
a Utah general partnership

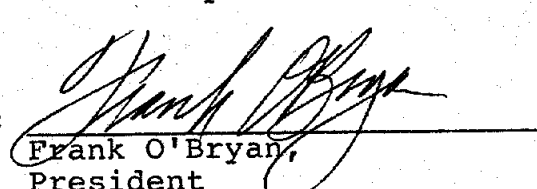
By The MacQuoid Company,
a Utah corporation

By: 

Malcolm S. MacQuoid,
President

Sierra Pacific Financial,
a California general partnership

By Spring Mountain Enterprises,
a California corporation

By: 

Frank O'Bryan,
President

300A 316 PAGE 697

State of Utah)
) ss.
County of Summit)

On the 4th day of October, 1984, personally appeared before me Malcolm S. MacQuoid, who being by me duly sworn did say that he is the president of The MacQuoid Company, a Utah corporation, a general partner of Old Towne Associates, a Utah general partnership, and that said instrument was signed in behalf of said corporation and said partnership by authority, and said Malcolm S. MacQuoid acknowledged to me that said corporation and said partnership executed the same.

Jessie Ann Lawson
Notary Public

Residing at:

Laurel City, Utah

My Commission Expires:

February 10, 1986

State of California)
) ss.
County of Orange)

On the 3rd day of October, 1984, personally appeared before me Frank O'Bryan, who being by me duly sworn did say that he is the president of Spring Mountain Enterprises, a California corporation, a general partner of Sierra Pacific Financial, a California general partnership, and that said instrument was signed in behalf of said corporation by authority, and said Frank O'Bryan acknowledged to me that said corporation and said partnership executed the same.

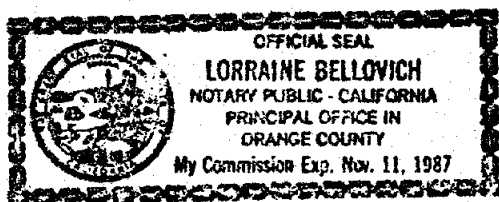
Lorraine Bellovich
Notary Public

Residing at:

Huntington Beach, Ca.

My Commission Expires:

11-11-87



JUD. 316 PAGE 698

All of Lots 37, 38 and 39 in Block 9, Park City Survey, except the following:

Beginning at a point on the Easterly line of Park Avenue, said point being South 23°38' East along said Park Avenue 12.90 feet from the Northwest Corner of Lot No. 37, Block 9, Park City Survey and running thence North 66°22' East 20.00 feet; thence South 23°38' East 30.00 feet; thence South 66°22' West 20.00 feet to the Easterly line of said Park Avenue, thence North 23°38' West along said Easterly line 30.00 feet to the point of beginning.

Subject to the general property taxes for the year 1983, and thereafter, and any special assessments now due or to become payable.

Subject to easements and restrictions of record or enforceable in law and equity.

Exhibit "A"

316 PAGE 699

All of Lots 10, 11 and 12, Block 5, Amended Plat of Park City Survey, according to the plat of record and on file in the office of the County Recorder, Summit County, Utah.

Subject to easements and restrictions of record or enforceable in law and equity.

Excepting all oil, gas and/or other minerals which were previously reserved.

Exhibit "B"

300 316 PAGE 700

Entry No.	218601
REQUEST OF	The MacQuoid Company
FEE	ALAN SPRIGGS, SUMMIT CO. RECORDER
\$ 19.00	By Susan Liberman
RECORDED	3-22-84 at 4:00 M

NON-EXCLUSIVE EASEMENT AGREEMENT

This Agreement is entered into by and among Park City Municipal Corporation ("City"), Old Towne Associates, a Utah general partnership ("Old Towne"), and Sierra Pacific Financial, a California general partnership ("Sierra Pacific"), as of March 22, 1984.

Recitals:

A. Old Towne is the owner of certain real property located at 537 Main Street, Park City, Utah presently known as the Old Towne Shoppes and more particularly described in Exhibit "A" attached to this Agreement and incorporated by this reference.

B. Sierra Pacific is the owner of certain real property located at 543 Park Avenue, Park City, Utah known as the Washington School and more particularly described in Exhibit "B" attached to this Agreement and incorporated by this reference.

C. Old Towne and Sierra Pacific have entered into a parking agreement which necessitates the improvement of an existing right-of-way connecting Park Avenue and Main Street and more particularly described as the North 21.5 feet of Lot 11, and all of Lot 36, Block 9, of the amended plat of Park City Survey ("the Right-of-Way").

D. It is in the best interests of the public health, safety and welfare to improve the Right-of-Way described above and to grant non-exclusive easements to Old Towne and Sierra Pacific appurtenant to each of the properties described in Exhibits "A" and "B", as provided in this Agreement.

Now, therefore, the parties hereto agree as follows:

1. City hereby grants to Old Towne a private non-exclusive pedestrian and vehicular right-of-way easement over the Right-of-Way as described above. Such easement shall be appurtenant to the property described in Exhibit "A" and shall run with such property.

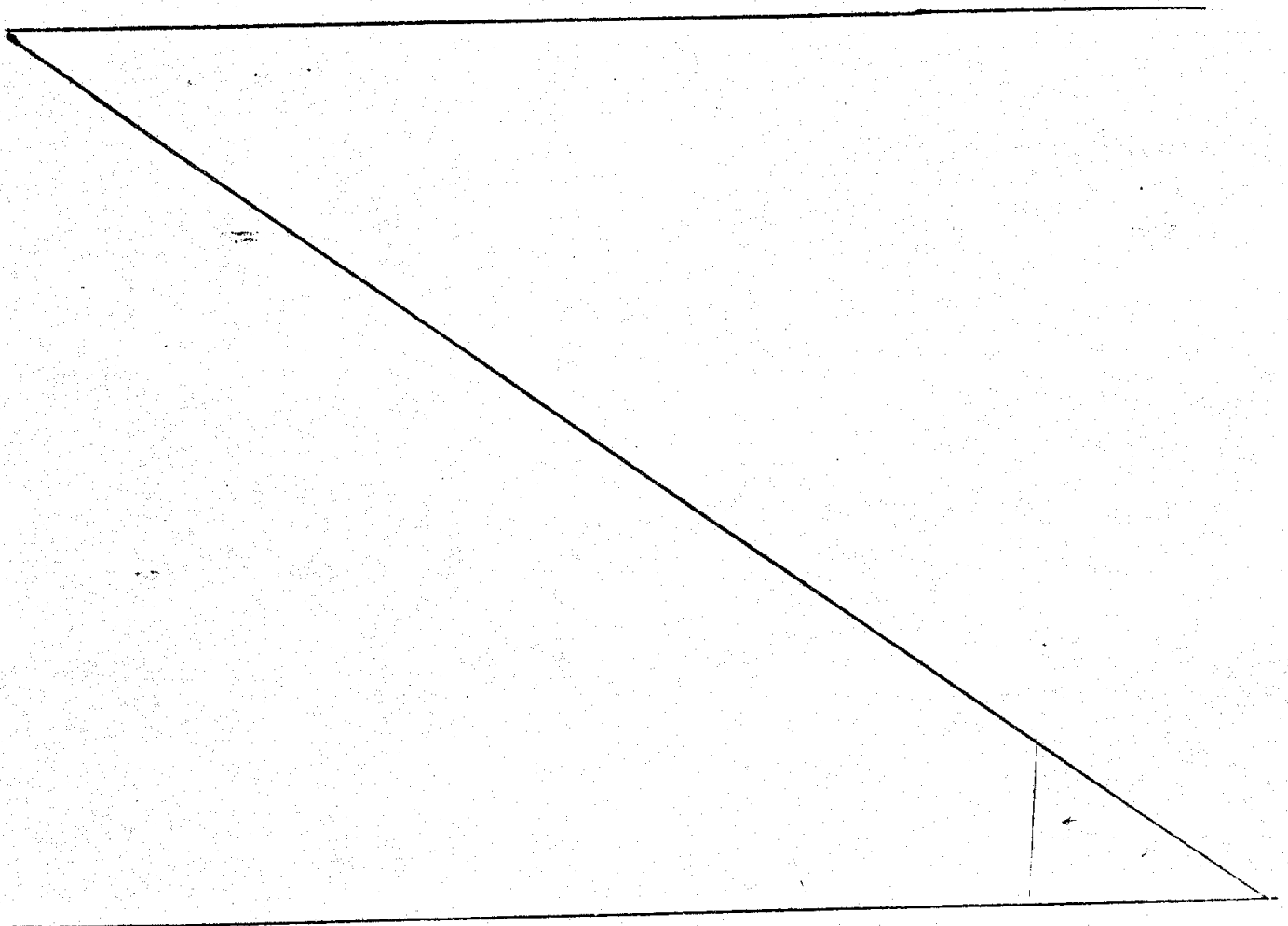
2. City hereby grants to Sierra Pacific a private non-exclusive pedestrian and vehicular right-of-way easement over the Right-of-Way as described above. Such easement shall be appurtenant to the property described in Exhibit "B" and shall run with such property.

BOOK 295 PAGE 135

3. Old Towne and Sierra Pacific shall improve the Right-of-Way by, among other things, rebuilding the existing stairs and installing lights to light the stairs. Such lights shall be hooked into the City's lighting system. All improvements to the Right-of-Way shall be subject to City's prior approval.

4. City shall maintain the Right-of-Way as required for safe pedestrian access, but Old Towne and Sierra Pacific may supplement the City's maintenance as they deem necessary or appropriate.

5. The easement granted hereby shall create no implication or duty by City to provide or allow vehicular access to the Right-of-Way from Main Street. At such time, if any, that motor vehicles are prohibited or restricted from access to the Right-of-Way from Main Street, City shall permit the Right-of-Way to be used in a manner that will permit vehicular access from Park Avenue to the lower level of parking at the rear of the property described in Exhibit "A".



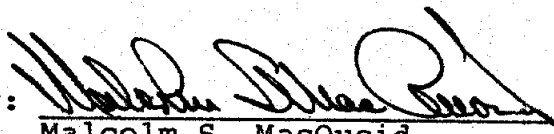
BOOK 295 PAGE 136

6. This Agreement shall be binding on, and shall inure to the benefit of, the successors and assigns of Old Towne and Sierra Pacific, respectively.

In witness whereof, the parties have entered into this Agreement as of the date first written above.

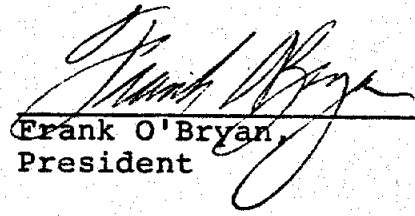
Old Towne Associates,
a Utah general partnership

By The MacQuoid Company,
a Utah corporation

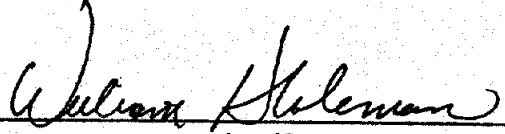
By: 
Malcolm S. MacQuoid,
President

Sierra Pacific Financial,
a California general partnership

By Spring Mountain Enterprises,
a California corporation

By: 
Frank O'Bryan,
President

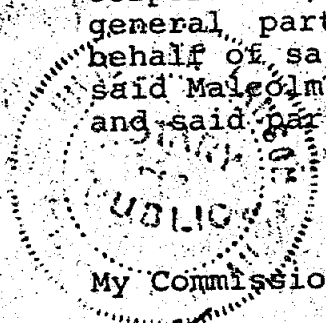
Park City Municipal Corporation

By: 
Maya Pro Tempore

BOOK 295 PAGE 137

State of Utah)
) ss
County of Summit)

On the 16th day of March, 1984, personally appeared before me Malcolm S. MacQuoid, who being by me duly sworn did say that he is the president of The MacQuoid Company, a Utah corporation, a general partner of Old Towne Associates, a Utah general partnership, and that said instrument was signed in behalf of said corporation and said partnership by authority, and said Malcolm S. MacQuoid acknowledged to me that said corporation and said partnership executed the same.


Janice Ann Larson
Notary Public

My Commission Expires:

February 10, 1986

Residing at:

Park City Utah

State of California)
) ss.
County of Orange)

On the 20th day of March, 1984, personally appeared before me Frank O'Bryan, who being by me duly sworn did say that he is the president of Spring Mountain Enterprises, a California corporation, a general partner of Sierra Pacific Financial, a California general partnership, and that said instrument was signed in behalf of said corporation by authority, and said Frank O'Bryan acknowledged to me that said corporation and said partnership executed the same.

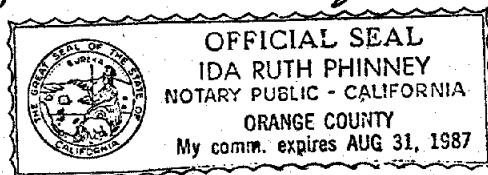
Ida Ruth Phinney
Notary Public

My Commission Expires:

August 31, 1987

Residing at:

Newport Beach, California



State of Utah)
) ss.
County of Summit)

On the 27th day of March, 1984, personally appeared before me William H. Coleman, who being by me duly sworn did say that he is the Mayor Pro-Tempore of Park City Municipal Corporation, a municipal corporation organized and existing under the laws of the State of Utah, and that said instrument was signed in behalf of said Park City Municipal Corporation by authority of a resolution of its City Council, and said William H. Coleman acknowledged to me that said Park City Municipal Corporation executed the same.

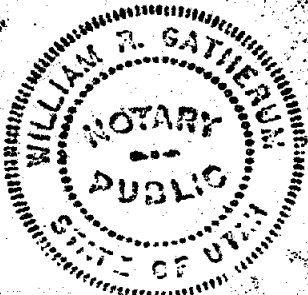
William R. Gatherum
Notary Public

My Commission Expires:

May 13, 1987

Residing at:

Salt Lake City, Utah



BOOK 295 PAGE 139

The North 3.50 feet of Lot No. 8, all of Lot Nos. 9 and 10, the South 3.50 feet of Lot No. 11, and all of Lot Nos. 37, 38 and 39, in Block 9, Park City Survey; Except the following:

Beginning at a point on the Easterly line of Park Avenue, said point being South 23°38' East along said Park Avenue 12.90 feet from the Northwest Corner of Lot No. 37, Block 9, Park City Survey and running thence North 66°22' East 20.00 feet; thence South 23°38' East 30.00 feet; thence South 66°22' West 20.00 feet to the Easterly line of said Park Avenue, thence North 23°38' West along said Easterly line 30.00 feet to the point of beginning.

Subject to the general property taxes for the year 1983, and thereafter, and any special assessments now due or to become payable.

Subject to easements and restrictions of record or enforceable in law and equity.

BOOK 295 PAGE 140

Exhibit "A"

Lots 10, 11, 12, 32, 33, 34, 35, 36, and 37, Block 5, Amended Plat of PARK CITY SURVEY, according to the plat of record and on file in the office of the County Recorder, Summit County, Utah.

Subject to the general property taxes for the year 1983 and thereafter, and any special assessments now due or to become due.

Subject to easements and restrictions of record or enforceable in law and equity.

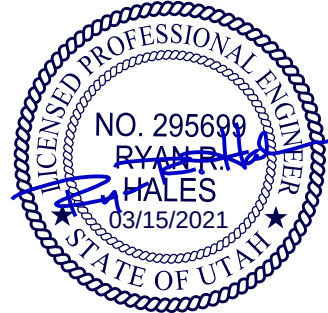
Excepting all oil, gas and/or other minerals which were previously reserved.

Exhibit "B"

BOOK 395 PAGE 141

MEMORANDUM

Date: March 15, 2021
To: Washington School House, LLC
From: Hales Engineering



Subject: Washington School House Inn Parking Study

UT21-1830

This memorandum discusses the parking study completed for the Washington School House Inn in Park City, Utah. The study identifies the parking supply included in the site plan, the parking supply rates required by the City and parking demand rates identified by the Institute of Transportation Engineers (ITE). A discussion of the anticipated parking demand for special events on the property is also included.

Project Description

The Washington School House is located at 543 Park Avenue. A vicinity map of the project site is shown in Figure 1, and a full site plan is found in Appendix A. The Washington School House operates as a boutique bed and breakfast. It serves a limited number of guests that seek a small, private, and exclusive destination. The Washington School House has been recognized in the media, including Travel + Leisure, as a destination draw for Park City.

The owners of the property applied for a conditional use permit to change the Washington School House's current operations as a Bed and Breakfast Inn to a Hotel Minor land use under Park City code. The hotel will have 12 rooms. The property site plan identifies a total of 12 stalls (11 stalls located in a lot across Park Avenue and authorized by easement and 1 parking stall planned for the west end of the property on Woodside Avenue). A driveway on the property offers 2 additional stalls that do not meet the City's off-street parking dimensions.



Figure 1: Site vicinity map of the project in Park City, Utah

Park City Parking Code

The Park City code specifies parking rates for various land use types. According to section 15-3-6B of the code, the City requires “1 space per room or suite, and one space per 200 sf of separately leasable commercial space.” This property doesn’t include any separately leasable commercial space. Based on these requirements, the Washington School House is required to provide a total of 12 off-street parking spaces. This requirement will be met with the 11 current off-street parking spaces and the 1 proposed parking space.

ITE Parking Demand Rates

While the planned usage of the Washington School House is unique and smaller than a typical hotel, it is comparable to the Institute of Transportation Engineers (ITE), *Parking Generation*, 5th Edition, 2019, business hotel land use. The average parking demand rate for a business hotel (ITE land use 312 is 0.72 parking stalls per hotel room, with an 85th percentile demand rate of 0.83 stalls per room and a maximum observed rate of 0.85 parking stalls per room. This is based on 11 study sites across the United States since the year 1980, with an average parking supply of 1.1 spaces per room. The number of stalls needed based on each of these rates for the proposed project is shown in Table 1.

Table 1: ITE Parking Generation

Park City - Washington School House Inn ITE Parking Generation (LU 312)		
Rate Type	Rate (stalls/dwelling unit)	Stalls
Average	0.72	9
85th Percentile	0.83	10
Maximum	0.85	11
ITE Parking Generation, 5th Edition, 2019		
Source: Hales Engineering, February 2021		

It is typically recommended that the parking demand be increased by 10% to provide an adequate parking supply for the property. If the 85th percentile parking demand of 10 stalls is used, then a parking supply of 11 stalls is advisable. A summary of the parking rates from the existing site plan, the Park City code, and ITE data can be found in Table 2.

Table 2: Parking Rate Comparison

Park City - Washington School House Inn Parking Rate Comparison		
Source	Rate (stalls / room)	# of Stalls
Park City Parking Code	1.00	12
ITE 85th Percentile Parking Demand	0.83	10
Existing Site Parking (off-street)	1.00	12
ITE Parking Generation, 5th Edition, 2019		
1. Two driveway parking spaces exist and have not been included in these numbers		
Source: Hales Engineering, February 2021		

The proposed site plan, which includes 12 off-street parking spaces, exceeds the recommended ITE parking supply. Moreover, the property owner reports, based on experience with the bed and breakfast, that only about 25% of guests require parking during their stay. This results in use of about 3 of the available parking spaces. The remaining guests arrive via transit, ridesharing services, or private transportation services and use these same services during their stay. Guests using transportation services are picked up and dropped off in a pull out located in front of the Washington School House.

Special Events

The Hotel (Minor) land use would allow the Washington School House to host small, private events. These special events are anticipated to include small corporate retreats, and small, private celebrations for weddings or other milestone events.

The property owners have indicated that no more than 60 guests would be permitted on the property for special events. This is due to the private, exclusive nature of the property and the small nature of the gathering spaces. This number includes up to 34 overnight guests (which is the Washington School House's full occupancy, based on sleeping areas available in the 12 guest rooms). The balance of special event guests would arrive from offsite.

As described above, the property owner stated that most overnight guests utilize ridesharing services for transportation to and from the Washington School House. Approximately 25% of overnight guests bring their own vehicles and require parking. If 25% of the overnight guests use parking spaces, then only 3 of the 12 spaces on the property are being used by these guests. That leaves more than adequate parking capacity for non-overnight, special event guests (estimated at 26 for special events when the Washington School House is completely rented out), the majority of which will also likely use ridesharing or other transportation services. Guests arriving by rideshare, or other transportation service, will be picked up and dropped off in the pull out in front of the Washington School House. The Washington School House will manage parking during special events through use of a valet service.

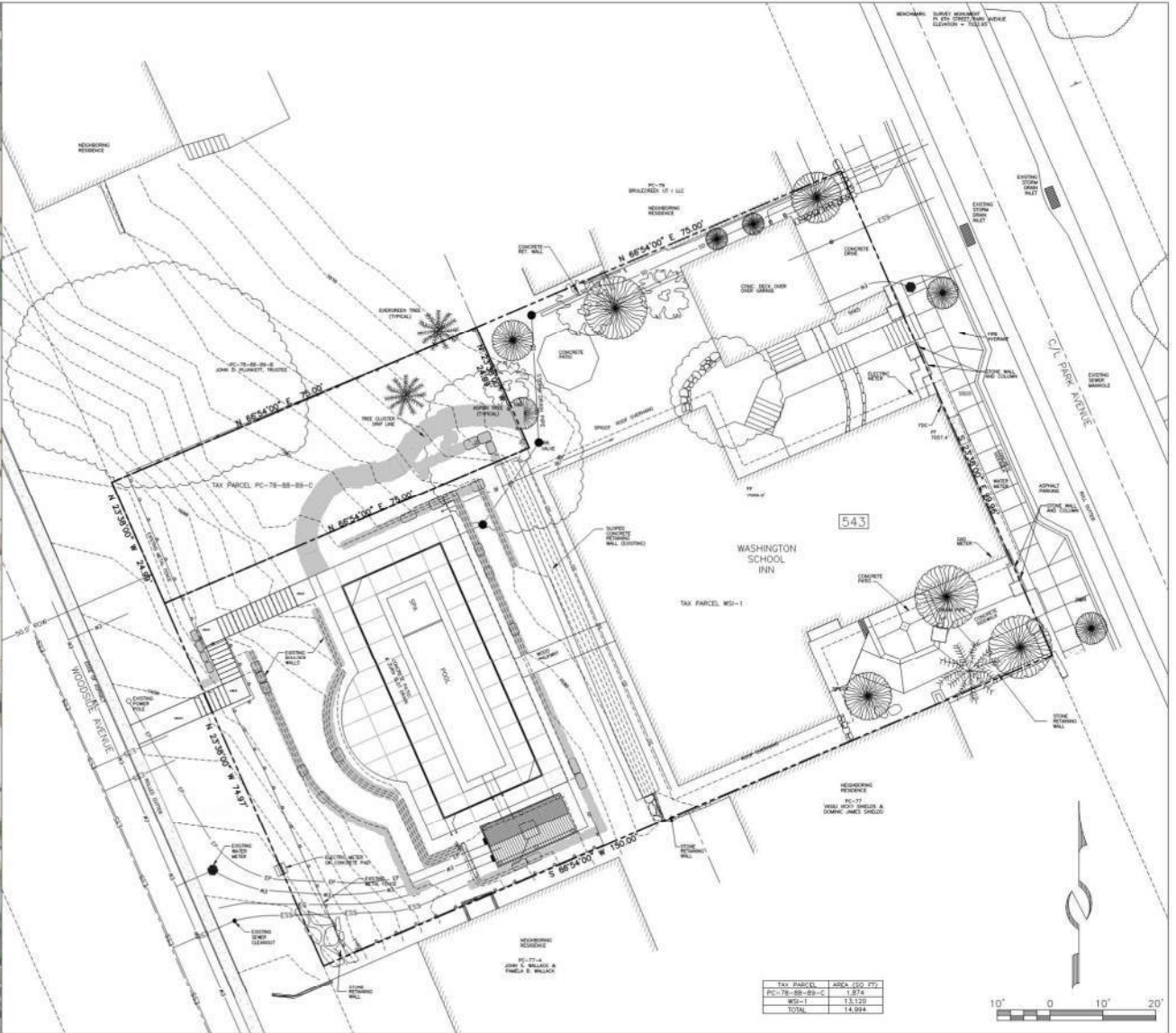
Conclusions and Recommendations

Hales Engineering makes the following conclusions for parking at the proposed Washington School House Hotel in Park City, Utah:

- The proposed site plan for the Washington School House Hotel identifies a total of 12 off-street parking spaces, with 2 additional spaces available in the driveway at the property. This equals a parking supply of 1 parking space per room.
- Section 15-3-6B of the Park City code would require 12 parking spaces for the Washington School House property under the “Hotel (minor)” land use. This translates to a parking supply rate of 1.0 parking space per room.
- The ITE 85th percentile parking demand rate for a business hotel is 0.83 parking stalls per room, translating to 10 parking stalls. With a 10% increase to parking demand, a parking supply of 11 parking stalls is recommended.
 - The current site plan meets the number of parking spaces required in the Park City code and exceeds the number recommended by the ITE data.
 - Based on past parking usage at the property, overnight guests will only use approximately 3 of the 12 available spots.
- The Washington School House is a small, private, exclusive destination that is meant to provide a high level of service to a limited number of guests. It may host small, private, special events under the new “Hotel (minor)” land use.
 - The events will largely cater to overnight guests, with a limited number of additional special event guests who are not staying at the Hotel.
 - Based on past experience, most guests at the Hotel will use ridesharing services and do not require on-site parking. It is not anticipated that parking demand will exceed the 12 supplied parking spaces during special events.

APPENDIX A

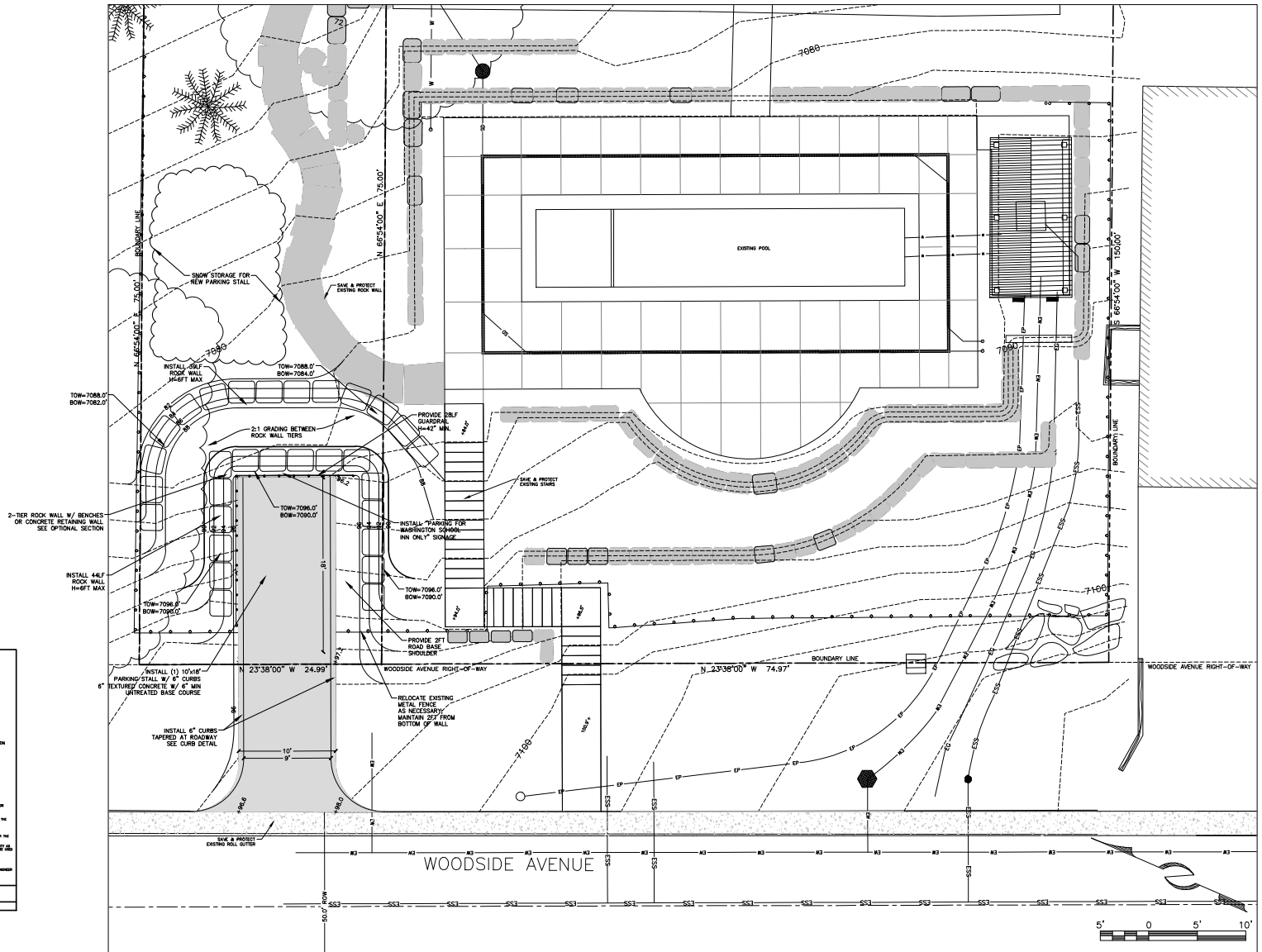
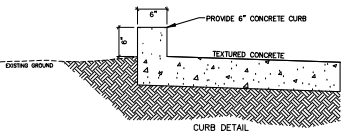
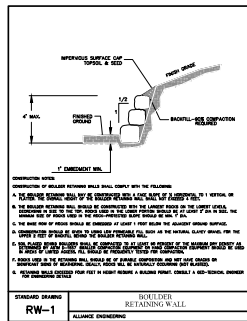
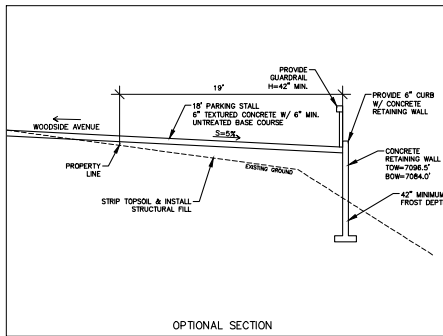
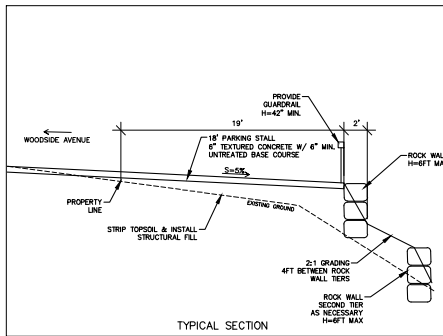
Site Plan



(435) 449-8467
STAFF:
 MICHAEL DEMKOWICZ
 RYAN BETZ
DATE: 2/12/20

2020 EXISTING CONDITIONS & VICINITY
543 PARK AVENUE
WASHINGTON SCHOOL INN
FOR: TRIP BENNETT
JOB NO.: 20-T-17
FILE: X:\ParkCitySurvey\dwg\T-4-10\2017 improvements\wa2017.dwg

SHEET
1
OF
2



STAFF:
MICHAEL DEMKOWICZ
RYAN BETZ

2020 IMPROVEMENTS
543 PARK AVENUE
WASHINGTON SCHOOL INN

FOR: TRIP BENNETT
JOB NO.: 20-7-17
FILE: X:\ParkCitySurvey\dwg\7-4-10\2017 improvements\WSI-civil.dwg

SHEET
2
OF
2



City Council Staff Report

Subject: 2012 HPB Award to Washington School Hotel
Authors: Anya Grahn, Historic Preservation Planner
Department: Planning Department, GI-11-00124
Date: May 16, 2013

Summary Recommendation:

Staff recommends that the City Council partner with the Historic Preservation Board (HPB) to present the 2012 HPB Award to the Washington School House Hotel at 543 Park Avenue for its Excellence in Restoration of a landmark structure.

Background:

This is the second year that the Historic Preservation Board (HPB) has chosen to recognize a significant preservation project in the community. The award is not meant to compete with any of the Historical Society's awards, but complement the existing joint preservation efforts already taking place and highlight the *Design Guidelines for Historic Districts and Historic Sites* by which all development in the Historic Districts must comply.

Properties are selected for this award based on the following categories:

- Adaptive Re-Use
- Infill Development
- Excellence in Restoration
- Sustainable Preservation
- Embodiment of Historical Context
- Connectivity of Site

In 2011, the Historic Preservation Board recognized the exemplary adaptive reuse of the High West Distillery. The Board commissioned artist Sid Ostergaard to create a twenty (20) by thirty (30) inch oil painting of the building that currently hangs in the entry area of City Hall.

The HPB chose to honor the hotel at 543 Park Avenue for its Excellence in Restoration. Listed on the National Register of Historic Places in 1978, the Washington School House Hotel required significant interior renovation work, bringing back many of the historical elements that had been lost over time. The 1889 limestone school is a local landmark, and its adaptive reuse contributes to the success of our resort economy. The restoration of the landmark Washington School House Hotel also promotes historic preservation within Park City, which adds to our community's identity and sense of place. Preservation is an integral part of the City, and supports our cultural-heritage tourism and resort-based economy. This year, the Board commissioned artist Jan Perkins to create a twenty (20) by twenty (20) inch oil painting of the Washington School Hotel to be displayed in the entry area of City Hall.

The Washington School was the first of three (3) schools built in Park City during the late nineteenth century that followed the "ward school" concept. Built of hammered and tooled limestone blocks quarried in Peoa, Utah, the 1889 structure is a T-plan concept that originally had three (3) classrooms and a centrally located, square bell tower. It was built for a cost of \$13,000. The school was one of the few buildings that survived the Great Fire of June 19, 1898. Elementary school classes commenced on November 18, 1889. Due to declining

enrollments, the school was sold in 1931. Though much of its historic materials were lost over time, the Washington School House Hotel has restored much of the structure's historic character and integrity.

Department Review:

Legal, Planning, and the City Manager reviewed this report and their feedback was incorporated.

Exhibit A—Historic Sites Inventory Form

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life + Internationally recognized & respected brand ~ Unique and diverse businesses + + +	~ Reduced municipal, business and community carbon footprints + Enhanced conservation efforts for new and rehabilitated buildings	+ Preserved and celebrated history; protected National Historic District + Community gathering spaces and places + Primarily locally owned businesses + Vibrant arts and culture offerings	+ Fiscally and legally sound + Engaged, capable workforce
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	Positive 	Very Positive 	Positive 
Comments: The Staff Recommendation advances a variety of goals and is responsive to historic preservation that enhance community character.				

Recommendation:

Staff recommends that the City Council partner with the Historic Preservation Board (HPB) to present the 2012 HPB Award to the Washington School House Hotel at 543 Park Avenue for its Excellence in Restoration of the landmark structure.

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property: **Washington School**

Address: 543 Park Ave

AKA: 541 Park Avenue

City, County: Park City, Summit County, Utah

Tax Number: WSI-1

Current Owner Name: PCE

Parent Parcel(s): PC-78-88-89 PC-79-A

Current Owner Address: PO BOX 536, PARK CITY, UT 84060-0536

Legal Description (include acreage): ALL LOTS 9 BLK 5 PARK CITY SURVEY; CONT 0.04 AC

2 STATUS/USE

Property Category

- ☒ building(s), main
☐ building(s), attached
☐ building(s), detached
☐ building(s), public
☐ building(s), accessory
☒ structure(s)

Evaluation*

- ☒ Landmark Site
☐ Significant Site
☐ Not Historic

Reconstruction

- Date:
Permit #:
☐ Full ☐ Partial

Use

- Original Use: Institutional
Current Use: Commercial

*National Register of Historic Places: ☐ ineligible ☒ eligible
☒ listed (date: 12/08/1978 - Individually listed.)

3 DOCUMENTATION

Photos: Dates

- ☐ tax photo:
☒ prints:
☐ historic: c.

Drawings and Plans

- ☐ measured floor plans
☐ site sketch map
☐ Historic American Bldg. Survey
☐ original plans:
☐ other:

Research Sources (check all sources consulted, whether useful or not)

- ☐ abstract of title
☒ tax card
☐ original building permit
☐ sewer permit
☒ Sanborn Maps
☐ obituary index
☐ city directories/gazetteers
☐ census records
☐ biographical encyclopedias
☐ newspapers
☒ city/county histories
☐ personal interviews
☐ Utah Hist. Research Center
☐ USHS Preservation Files
☐ USHS Architects File
☐ LDS Family History Library
☐ Park City Hist. Soc/Museum
☐ university library(ies):
☐ other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah:

University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: School type

No. Stories: 2

Additions: ☐ none ☒ minor ☐ major (describe below) Alterations: ☐ none ☒ minor ☐ major (describe below)

Number of associated outbuildings and/or structures: ☐ accessory building(s), # ____; ☒ structure(s), # 1.

General Condition of Exterior Materials:

Researcher/Organization: Preservation Solutions/Park City Municipal Corporation Date: 12-2008

☒ Good (Well maintained with no serious problems apparent.)

☐ Fair (Some problems are apparent. Describe the problems.):

☐ Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):

☐ Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Site: Stone retaining walls extend along the Park Avenue.

Foundation: Stone

Walls: Stone.

Roof: Cross-wing roof form sheathed in Wooden shingles.

Windows/Doors: Four-over-four double-hung sash type, small one-over-one double-hung sash type in paired or grouped.

Essential Historical Form: ☒ Retains ☐ Does Not Retain, due to:

Location: ☒ Original Location ☐ Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The 2-story stone structure remains largely as it was described in the National Register nomination (see Nomination Form, National Register of Historic Places Inventory, 1978). When the site was nominated to the NR, the photographs suggest the building was vacant and in disrepair. The structure has been rehabilitated and adaptively reused as a Bed & Breakfast. Some changes have been made--garage added on north end of property--but many of the historical elements lost over time have been returned. The changes do not affect the site's original design integrity.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting has not been significantly altered from what is suggested in the Sanborn Insurance maps and what is described in the National Register nomination.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The physical evidence from the period that defines this as an educational building constructed during the mining era are the use of stone, the building type of a central block with projecting wings, the bell tower, and the plain finishes.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of the type of educational buildings constructed in western towns of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The school building was constructed in 1889. It is one of the oldest buildings in Park City and is associated with development of public education in Park City.

This site was individually listed on the National Register of Historic Places in 1978. It was built c. 1889, is associated with the development of public education in Park City, and it retains its historic integrity. As a result, it meets the criteria set forth in LMC Chapter 15-11 for designation as a Landmark Site.

5 SIGNIFICANCE

Architect: ☒ Not Known ☐ Known: (source:)

Date of Construction: c. 1889¹

Builder: ☐ Not Known ☒ Known: R. Hobbs, contractor (source: National Register nomination)

¹ National Register nomination.

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

- ☒ Settlement & Mining Boom Era (1868-1893)
- ☐ Mature Mining Era (1894-1930)
- ☐ Mining Decline & Emergence of Recreation Industry (1931-1962)

As stated in the National Register nomination, " The Washington School, constructed in 1889 of limestone quarried at Peoa, Utah is the remaining structure of the three public schools constructed in Park City in the late nineteenth century that followed the "ward school" concept. In addition, the structure is one of the few remaining buildings which survived the Great Fire of June 19, 1898. "

2. Persons (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. Architecture (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: Southeast oblique. Camera facing northwest, 2006.

Photo No. 2: East elevation. Camera facing west, 2006.

Photo No. 3: Northeast oblique. Camera facing southwest, 2006.

Photo No. 4: East elevation - garage. Camera facing west, 2006.

Photo No. 5: Southeast oblique. Camera facing northwest, 1995.

Photo No. 6: Northeast oblique. Camera facing southwest, 1978.

Photo No. 7: Southeast oblique. Camera facing northwest, 1978.

SERIAL NO.
RE-APPRAISAL CARD (1940 APPR. BASE)

Owner's Name _____
 Owner's Address _____
 Location _____
 Kind of Building Res Street No. 553 Park Ave
 Schedule 1 Class 3 Type 1-2-3-4 Cost \$ _____ X %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
<u>1</u>	<u>x x</u>		<u>752</u>	<u>\$ -</u>	<u>\$ 1470</u>
	<u>x x</u>			<u>\$</u>	<u>\$</u>
	<u>x x</u>			<u>\$</u>	<u>\$</u>

No. of Rooms 4 Condition _____

Description of Building	Add	Deduct
Foundation—Stone Conc. None ☒		<u>120</u>
Ext. Walls <u>Siding</u>		
Insulated—Floors Walls Cigs.		
Roof—Type <u>Gab</u> Mat. <u>Pot. Shg.</u>		
Dormers—Small Med. — Lg.		
Bays—Small Med. — Lg.		
Porches—Front <u>8' x 11' @ 1.10</u>	<u>97</u>	
Rear <u>8' x 11' @ 1.10</u>	<u>84</u>	
Cellar—Basement <u>1/4 1/2 1/2 3/4 full-floor Dirt</u>		
Basement Apts.—Rooms Fin. —		
Attic Rooms Fin. — Unfin. —		
Plumbing— Class <u>1</u> Tub <u>1</u> Trays <u>1</u> Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u> Urns <u>1</u> Ftns. <u>1</u> Shr. <u>1</u> Dishwasher <u>1</u> Garbage Disp. <u>1</u>	<u>350</u>	
Heat—Stove <u>H. A. Steam S. Blr.</u>		
Oil <u>Gas</u> Coal <u>Coal</u>		
Air Conditioned <u>Incinerators</u>		
Radiant—Pipeless		
Finish— Hd. Wd. <u>✓</u> Floors <u>✓</u> Fir. <u>✓</u> Conc. <u>✓</u>		
Cabinets <u>1</u> Mantels <u>—</u>	<u>40</u>	
Tile— Walls <u>—</u> Wainscot. <u>—</u> Floors <u>—</u>		
Lighting—Lamp <u>✓</u> Drops <u>✓</u> Fix. <u>—</u>		
<u>Lbr. Lined No. 35 - 11 @ 35</u>		<u>140</u>

Total Additions and Deductions 571 260 1470
 Net Additions or Deductions -260 \$ +311

Ave. Age 45 Yrs. by ☒ Est. Owner ☒ Tenant ☒ Neighbors ☒ Records
 REPRODUCTION VALUE \$ 1281
 Depr. 12-3-4-5-6 54/42 % \$ 548
 Reproduction Val. Minus Depr. \$ 748

Remodeled Est. Cost Remodeling Inc. % \$ _____
 Garage—S 8 C — Depr. 2% 3% Obsolescence \$ _____
 Cars — Walls — Out Bldgs. \$ _____
 Roof — Size x Age — \$ _____
 Floor — Cost — Depreciated Value Garage \$ _____

Remarks (37 yr Ave Used 1940) Total Building Value \$ _____

Appraised 10/1948 By 45 AD-A-J

Location _____

Kind of Bldg. RES St. No. 553 Park Ave

Class 3 Type 1 3 Cost \$ _____ X _____ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
1	x x		752		\$ 1527
	x x				
	x x				

Gar.—Carport x Flr. _____ Walls _____ Cl. _____

Description of Buildings	Additions
Foundation—Stone _____ Conc. _____ None ☒	
Ext. Walls <u>SIDING</u>	
Insulation—Floors _____ Walls _____ Clgs. _____	
Roof Type <u>Gal</u> Mtl. <u>Pat</u>	
Dormers—Small _____ Med. _____ Large _____	
Bays—Small _____ Med. _____ Large _____	
Porches—Front <u>88</u> @ <u>1.00</u>	<u>88</u>
Rear <u>84</u> @ <u>1.00</u>	<u>84</u>
Porch _____ @ _____	
Metal Awnings _____ Mtl. Rail _____	
Basement Entr. _____ @ _____	
Planters _____ @ _____	
Cellar—Bsmt. — $\frac{1}{4}$ $\frac{1}{2}$ $\frac{3}{4}$ Full _____ Floor <u>dust</u>	<u>50</u>
Bsmt. Apt. _____ Rooms Fin. _____ Unfin. _____	
Attic Rooms Fin. _____ Unfin. _____	
Plumbing { Class <u>1</u> Tub <u>1</u> Trays _____ Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u> Wtr. Sfr. _____ Shr. St. _____ O.T. _____ Dishwasher _____ Garbage Disp. _____	<u>350</u>
Built-in-Appliances _____	
Heat—Stove ☒ H.A. _____ Steam _____ Stkr. _____ Blr. _____ Oil _____ Gas _____ Coal _____ Pipeless _____ Radiant _____	
Air Cond. _____	
Finish—Fir ☒ Hd. Wd. _____	
Floor—Fir ☒ Hd. Wd. _____ Other _____	
Cabinets <u>1</u> Mantels _____	
Tile—Walls _____ Wainseot _____ Floors _____	
Storm Sash—Wood D. _____ S. _____; Metal D. _____ S. _____	
Total Additions	<u>572</u>

Year Built _____	Avg. Age <u>53</u>	Current Value	\$ <u>2099</u>
Inf. by <u>Owner</u> Tenant - _____		Commission Adj.	%
<u>Neighbor - Record - Est.</u>		Bldg. Value	
Remodel Year _____	Est. Cost _____	Depr. Col. 1 2 3 4 5 6 <u>34</u> %	
		Current Value Minus Depr.	\$ <u>714</u>
Garage—Class _____	Depr. 2% 3% _____	Carport—Factor _____	
Cars _____	Floor _____	Walls _____	Roof _____
Size— <u>x</u>	Age _____	Cost _____	x _____ %
Other _____			
Total Building Value			\$

Appraised 11-29 19 57 By 1331

PC 79
Serial Number

Card Number

Owners Name

Location

Kind of Bldg. Res St. No. 653 Park

Class 3 Type 1 2 3 4. Cost \$ X 100 %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
	x x	752		\$ 3,363	\$
	x x				
	x x				

Att. Gar. — C.P. — x — Flr. — Walls — Cl. —

Description of Buildings

Foundation—Stone — Conc. A Sills

Ext. Walls sid (A)

Roof Type gab Mtl. RR

Dormers—Small — Med. — Large

Bays—Small — Med — Large

Porches—Front 80 @ 150 120

Rear 36 @ 100 36

Porch @

Planters @

Ext. Base. Entry @

Cellar/Bsmt. — 1/4 1/2 3/4 Full — Floor 80

Bsmt. Gar.

Basement-Apt. — Rms. — Fin. Rms.

Attic Rooms Fin. 1 Unfin. 225

Plumbing { Class 1 Tub. 1 Trays

Basin 1 Sink 1 Toilet 1 550

Wtr. Sfr. — Shr. St. — O.T.

Dishwasher — Garbage Disp.

Heat—Stove — H.A. — FA X HW — Stkr — Elec. 329

Oil — Gas X Coal — Pipeless — Radiant

Air Cond. — Full — Zone

Finish—Fir. 1 Hd. Wd. — Panel

Floor—Fir. 1 Hd. Wd — Other

Cabinets 1 Mantels

Tile—Walls — Wainscot — Floors

Storm Sash—Wood D. — S. — Metal D. 1 S. 30

Awnings — Metal — Fiberglass

Total Additions 1320

Year Built 1904 Avg. 1/904 Replacement Cost 4753

Age 2 Obsolescence

Inf. by Owner Tenant Adj. Bld. Value

Neighbor Record Est. Conv. Factor 1.15

Replacement Cost—1940 Base

Depreciation Column 1 2 3 4 5 6

1940 Base Cost, Less Depreciation

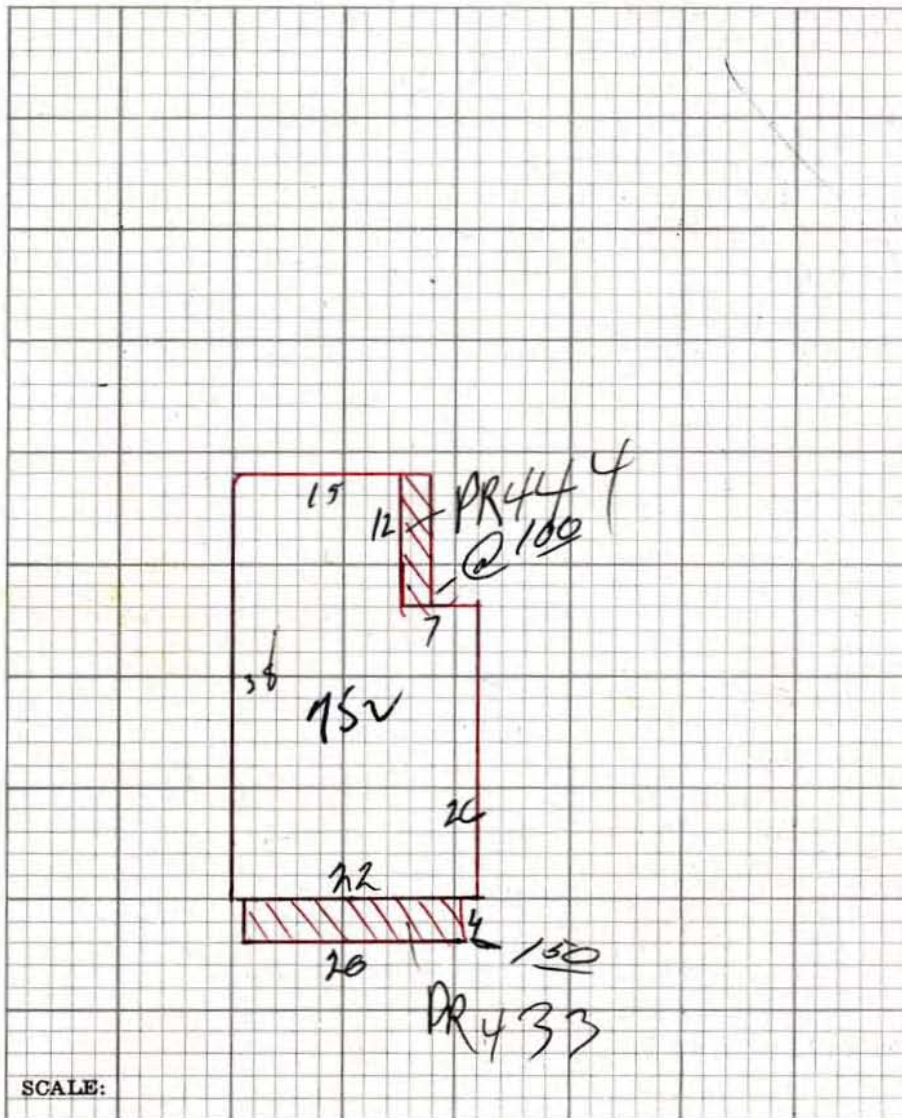
Total Value from reverse side

Total Building Value \$

Appraised ① 10-17-68 48 By 1208

Appraised ② 19 By 1328

Recap 11-20-79
#2272



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class _____ Depr. 2% 3% _____

Cars _____ Floor _____ Walls _____ Roof _____ Doors _____

Size _____ x _____ Age _____ Cost _____ x 47 % _____

_____ 1940 Base Cost _____ x _____ % Depr. _____

Total _____

REMARKS _____

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICENATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM

FOR NPS USE ONLY

RECEIVED

JUN 6 1978

DATE ENTERED

DEC 8 1978

SEE INSTRUCTIONS IN *HOW TO COMPLETE NATIONAL REGISTER FORMS*
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS**1 NAME**

HISTORIC

Washington School

AND/OR COMMON

Public School District No. 12

2 LOCATION

STREET & NUMBER

541 Park Avenue

___ NOT FOR PUBLICATION

CITY, TOWN

Park City

CONGRESSIONAL DISTRICT

STATE

Utah

___ VICINITY OF

CODE

COUNTY

Summit

CODE

3 CLASSIFICATION

CATEGORY

___ DISTRICT

☒ BUILDING(S)

___ STRUCTURE

___ SITE

___ OBJECT

OWNERSHIP

___ PUBLIC

☒ PRIVATE

___ BOTH

PUBLIC ACQUISITION

___ IN PROCESS

___ BEING CONSIDERED

STATUS

___ OCCUPIED

☒ UNOCCUPIED

___ WORK IN PROGRESS

ACCESSIBLE

___ YES: RESTRICTED

☒ YES: UNRESTRICTED

___ NO

PRESENT USE

___ AGRICULTURE

___ COMMERCIAL

___ EDUCATIONAL

___ ENTERTAINMENT

___ GOVERNMENT

___ INDUSTRIAL

___ MILITARY

___ MUSEUM

___ PARK

___ PRIVATE RESIDENCE

___ RELIGIOUS

___ SCIENTIFIC

___ TRANSPORTATION

☒ OTHER: Vacant**4 OWNER OF PROPERTY**

NAME

David S. Grow

STREET & NUMBER

P. O. Box 202

CITY, TOWN

Provo

___ VICINITY OF

STATE

Utah

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE,

REGISTRY OF DEEDS, ETC.

Summit County Courthouse

STREET & NUMBER

CITY, TOWN

Coalville

STATE
Utah**6 REPRESENTATION IN EXISTING SURVEYS**

TITLE

Utah State Historic Sites Inventory

DATE

1973/1978

___ FEDERAL ☒ STATE ___ COUNTY ___ LOCALDEPOSITORY FOR
SURVEY RECORDS

Utah State Historical Society

CITY, TOWN

Salt Lake City

50

STATE
Utah

7 DESCRIPTION

CONDITION

___EXCELLENT
___GOOD
___FAIR

XDETERIORATED
___RUINS
___UNEXPOSED

CHECK ONE

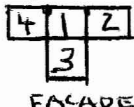
XUNALTERED
___ALTERED

CHECK ONE

XORIGINAL SITE
___MOVED DATE _____

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

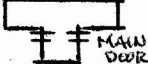
The basic plan of the George Washington Schoolhouse is a "T" plan built in stone. It is a split level structure rising to a height of two full storeys at the main elevation and one and one half at the rear. Three wings extend from the central block on both sides and the front. The central square and wings will be numbered as follows:



The plot is located on a slope which causes the split leveling. The basement, done in cut stone, is partial, only extending under section #3. The exterior wall material is also cut stone and is a combination of broken course and composition coursing. The texture of the stone is hammered or tooled. In the exterior wall of the main facade there is a date stone which reads "Public School District No. 12, 1889."

The total roof shape is a "T" gable covered with wood (probably cedar) shingles. There are three interior chimneys which are centrally located at the end of wings 2,3, and 4. These are single units made of brick. There are several dormer windows of pediment shape and having windows of the "four sash with mullions" type. The eaves are done in wood which projects and have no exposed rafters. The raking is a wood fascia and frieze with no special features.

The main windows on the first floor are flat two sash (double hung) with a plain lintel. There are no side elements, but the sill is of lugsill type. Both lintel and sill are done in smoothly cut stone. The second floor windows are two sash with one upper and one lower. There are two circular windows in the uppermost storey of section two.

There are two identical doors, one main and one secondary, located off-center on the main floor.  Their structural openings are flat with plan, cut stone surround heads and sides. The architrave type is plain with embrasure. The side panels are recessed on both sides and the transom panels are plain and recessed. The doors are double, four panel doors, and the panels are recessed with moulded railings. The glazing on the door was undeterminable.

The location of the main staircase is at the main door. They extend straight from the main door parallel to the exterior wall from a low porch supported by wooden blocks.

One of the more interesting features of the building is the centrally located bell tower which is square in shape, supported at four corners by wood columns having bracketed eaves and scroll worked corner brackets. Topping the steep cupola roof is a flag pole which could be original. The sides of the cupola below the roof are open at this time and the bell has been removed.

8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW				
☐ PREHISTORIC	☐ ARCHEOLOGY-PREHISTORIC	☐ COMMUNITY PLANNING	☐ LANDSCAPE ARCHITECTURE	☐ RELIGION	
☐ 1400-1499	☐ ARCHEOLOGY-HISTORIC	☐ CONSERVATION	☐ LAW	☐ SCIENCE	
☐ 1500-1599	☐ AGRICULTURE	☐ ECONOMICS	☐ LITERATURE	☐ SCULPTURE	
☐ 1600-1699	☒ ARCHITECTURE	☒ EDUCATION	☐ MILITARY	☐ SOCIAL/HUMANITARIAN	
☐ 1700-1799	☐ ART	☐ ENGINEERING	☐ MUSIC	☐ THEATER	
☒ 1800-1899	☐ COMMERCE	☐ EXPLORATION/SETTLEMENT	☐ PHILOSOPHY	☐ TRANSPORTATION	
☐ 1900-	☐ COMMUNICATIONS	☐ INDUSTRY	☐ POLITICS/GOVERNMENT	☐ OTHER (SPECIFY)	
		☐ INVENTION			

SPECIFIC DATES 1889

BUILDER/ARCHITECT R. Hobbs, contractor

STATEMENT OF SIGNIFICANCE

The Washington School, constructed in 1889 of limestone quarried at Peoa, Utah is the remaining structure of the three public schools constructed in Park City in the late nineteenth century that followed the "ward school" concept. In addition, the structure is one of the few remaining buildings which survived the Great Fire of June 19, 1898.

HISTORY

Park City, Utah, quickly became one of the leading and most profitable argentiferous lead mining areas in the world. The initial discover date is cited as 1868, but it was the Ontario Mine, sold to George Hearst in 1872, that initiated efforts to mine lode ores and acted as the catalyst for Park City's reputation as a bonanza camp. The district grew rapidly attracting a diverse population, with commercial and social activity centered in the town of Park City.

The increase in population and prosperity affected Park City's development from a settlement, to a camp, and finally to a town. Within such a framework of development the social environment underwent changes, with various aspects of that environment needing attention. Education, practically from the outset, became of particular importance.

The first educational efforts in Park City culminated in the establishment of the Ontario School, in 1875. Other reports indicate that earlier in the winter of 1875, John L. Street and George C. Snyder sponsored a school taught by Dominic Dignan; followed by the Ontario School, which was supported by subscriptions from the Ontario miners, and also from donations. Following closely were other schools sponsored by the Catholic Church, Congregational Church and the Public Free School No. 12.

The 1870's and 1880's proved a difficult period for public schools in Park City. Tax measures to aid public education were voted down and in addition, the presence of other schools, Saint Mary's (Catholic) and the Park Academy (Congregational), created alternatives to public education. The Free School was originally run by the New West Education Commission, Congregational Church, but sponsorship was later dropped because of financial difficulties. The church shortly thereafter sponsored the Park Academy. In 1883 citizens voted down a school tax levy;² children were to be sent to either Saint Mary's (still remaining) or the Park Academy.

¹William McPhee, The Trail of the Leprechaun: Early History of a Utah Mining Camp (Hicksville, N.Y., 1977), p. 69; J. Weston Woodbury, "A History of the Park City School District," (M.S. Thesis, University of Utah, 1960).

²Ibid., pp. 69-78: Woodbury, Park City School District, p. 57

9 MAJOR BIBLIOGRAPHICAL REFERENCES

McPhee, William M. The Trail of the Leprechaun: Early History of a Utah Mining Camp Hicksville, N.Y. 1977

Woodbury, J. Weston, "A History of the Park City School District." M.S. thesis, University of Utah, 1960

Park City School District No. 12, Treasurer Ledger, August 1880, to June 1897. Park City Board of Education Office

10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY less than one acre

QUADRANGLE NAME Park City East, Utah

QUADRANGLE SCALE 1:24000

UTM REFERENCES

458-020
A 12 457990 44991210
ZONE EASTING NORTHING
C
E
G

B
ZONE EASTING NORTHING
D
F
H

VERBAL BOUNDARY DESCRIPTION

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE CODE COUNTY CODE

STATE CODE COUNTY CODE

11 FORM PREPARED BY

NAME / TITLE

Philip F. Notarianni, Historian

ORGANIZATION

Utah State Historical Society

DATE

March 31, 1978

STREET & NUMBER

307 West 2nd South, Suite 1000

TELEPHONE

533-6017

CITY OR TOWN

Salt Lake City,

STATE

Utah

12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL

STATE X

LOCAL

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

STATE HISTORIC PRESERVATION OFFICER SIGNATURE

TITLE

SHPO

DATE

May 24, 1978

FOR NPS USE ONLY

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

DATE

12-8-78

ATTEST:

William H. Bramham
KEEPER OF THE NATIONAL REGISTER

DATE

William H. Bramham
CHIEF OF REGISTRATION

53

12-8-78

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

FOR NPS USE ONLY

RECEIVED

JUN 6 1978

DATE ENTERED

DEC 8 1978

CONTINUATION SHEET

ITEM NUMBER 8

PAGE 2

Population growth, apparently increased a demand, as reports indicated an enrollment of one hundred during the 1885-1886 school year. At that time the Public Free School, District No. 12³ had John F. Bledsoe as principal, later replaced by Miss Lizzie Holding, assisted by Miss Mary Kelly. During the 1886-1887 year, C.A. Short was hired as principal, with assistants Mrs. F. V. Davis and Miss E. L. Stalker. Enrollment increased to 162. In 1888, Professor M. G. Hoover replaced Short, with rolls climbing to 194 students.

During 1888, the Trustees of School District No. 12 debated the issue of building new schools. Opposition formed against the idea of a large central school because of a lack of a sufficient population and a lack of property valuation to provide for construction. This followed from an earlier meeting, in July 1888, in which interest was generated in the building of two ward school houses (political "wards")-upper and lower Park Avenue. This system was favored, and as a result studies were made, and plans obtained, of two existing schools -- one a ward school in Grand Haven, Michigan, and the other the school at Lynn, near Ogden, Utah.⁴

The June 15, 1889 issue of The Park Record related that the old public school house on Park Avenue was to be demolished to make way for a new structure. In July the Trustees of District No. 12 decided that the school should be constructed of rock, not lumber, and would contain three rooms, each 30 by 30 feet in size, with 16 foot ceilings. A contract was let to R. Hobbs, and grading commenced, but the excessive amount of grading necessary to prepare the lot caused a delay in the structure's completion.⁵

The rock building, in contrast to the red brick used in later structures, was completed in the late fall of 1889, at a cost of about \$13,000.⁶ Classes for the elementary grades commenced on November 18, 1889, and The Park Record quickly labeled the building as ". . . one of the finest in the state." The school, known originally as the Central School, or Building No. 1, was the first of three schools built in the 1880s and 1890s to accomodate Park City's growing population. School Buildings No. 2 and No. 3 were erected in 1891 and 1895 respectively. On July 12, 1897, F. R. Davis, Clerk of District No. 12, suggested that due to confusion, the Central School, and Buildings No. 2 and 3 be named the Washington, Jefferson, and Lincoln Schools. Davis' motion carried.⁸

³The first record of this district is a Treasurer's Ledger, dated August 10, 1880.

⁴The Park Record, July 14, 1888; December 1, 1888. In the July, 1888 meeting, Frank E. James stated that by law the trustees were not allowed to bond the school district or involve it in heavy debt; therefore, the board decided to postpone a decision until 1889, in time to have increased the building fund.

⁵The Park Record, June 15, 1889; July 27, 1889; September 14, 1889; Park City School District No. 12, Treasurer Ledger, August, 1880 to June 1897, p. 49, Hobbs was paid \$348.55.

⁶Sources vary from \$10,5550.00 to \$13,807.⁵⁴

UNITED STATES DEPARTMENT OF THE INTERIOR
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⁷The Park Record, November 9, 1889.

⁸Record of District School No. 12, July 8, 1895- July 6, 1906, pp. 38,39.

The Washington School continued to function as an important part of Park City's educational program until 1931. At that time the school and lot were listed for sale, the Trustees having decided to close the school in the term, apparently due to declining enrollments. It was sold in 1936 to the Veterans of Foreign Wars for \$200.00. A new central school, the Marsac Elementary School, was constructed in 1936 when the Trustees voted to build a new central elementary school rather than remodeling the Jefferson or Lincoln schools.

Thus, the Washington School remains and is most significant because of its architectural detailing (see Item 7) and its role in documenting the history of public education in Park City, Utah. The present owner has granted the Utah State Historical Society a preservation easement on the facade to insure the building's preservation.

⁹Woodbury, Park City School District, p. 61; Hazel T. Taylor, Clerk, to Kent Powell, Historian, Utah State Historical Society, October 22, 1971.

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CONTINUATION SHEET

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The Park Record, July 14, 1888; December 1, 1888; June 15, 1889; July 27, 1889;
September 14, 1889; November 9, 1889.

Record of District School No. 12, July 8, 1895 - July 6, 1906. Park City Board of
Education Offices.















Planning Commission Staff Report



Subject: Accessory Dwelling Units
Application: PL-18-03920
Author: Rebecca Ward
Date: April 28, 2021
Type of Item: Work Session

Recommendation

Conduct a work session on H.B. 82 *Single-Family Housing Modifications*, which establishes Internal Accessory Dwelling Units as an allowed use in primarily residential Zoning Districts as of October 1, 2021 and provide input regarding Land Management Code amendments.

Acronyms

ADUs	Accessory Dwelling Units
CUP	Conditional Use Permit
IADUs	Internal Accessory Dwelling Units
LMC	Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

There are three types of Accessory Dwelling Units (ADUs): internal (e.g. basement apartment in a Single-Family Dwelling), attached (e.g. an addition to a Single-Family Dwelling or a Dwelling Unit above a garage), and detached (e.g. tiny homes independent of a Single-Family Dwelling).¹

Internal and attached ADUs are allowed in Park City and are called Accessory Apartments. The Land Management Code (LMC) defines Accessory Apartments as “[a] self-contained Apartment, with cooking, sleeping, and sanitary facilities, created either by converting part of and/or by adding on to a Single-Family Dwelling or detached garage. Accessory Apartments do not increase the residential Unit Equivalent of the Property and are an Accessory Use to the primary Dwelling.”²

Accessory Apartments are an Allowed or Conditional Use in all Zoning Districts except the Community Transition, Recreation and Protected Open Space, and Public Use Zoning Districts.³

¹[https://www.planning.org/knowledgebase/accessorydwellings/#:~:text=An%20accessory%20dwelling%20unit%20\(A%20DU,secondary%20suites%2C%20and%20granny%20flats](https://www.planning.org/knowledgebase/accessorydwellings/#:~:text=An%20accessory%20dwelling%20unit%20(A%20DU,secondary%20suites%2C%20and%20granny%20flats). ADUs are sometimes referred to as accessory apartments, secondary suites, granny flats, or mother-in-law apartments.

² LMC [§ 15-15-1](#).

³ There are some outliers – For example, in the Single-Family Zoning District, Accessory Apartments are prohibited in the Holiday Ranchettes Subdivision (LMC [§ 15-2.11-2\(A\)\(4\)](#), [footnote three](#)). The Historic Recreation Commercial and Historic Commercial Business Zoning Districts prohibit Accessory Apartments in Storefront Property (LMC [§ 15-2.5-2\(A\)\(5\)](#), [footnote five](#); LMC [§ 15-2.6-2\(A\)\(5\)](#), [footnote three](#)).

The LMC establishes the following requirements for Accessory Apartments:

- Cannot be less than 400 or more than 1,000 square feet
- Cannot be larger than 1/3 of the Single-Family Dwelling
- Cannot exceed two bedrooms
- Requires one additional parking space per Accessory Apartment bedroom
- Limits one per Lot (tandem parking is allowed)
- Caps location to four within a 300-foot radius
- Requires Applicants to submit documentation showing they provided notice of the proposed Accessory Apartment to their homeowner association
- Prohibits Nightly Rentals
- Requires the Property Owner to live in either the Single-Family Dwelling or Accessory Apartment
- Requires a deed restriction to be recorded with the county to outline restrictions
- Outlines City authority to revoke permits for non-compliance
- Establishes a process for existing non-conforming Accessory Apartments to be approved under certain circumstances⁴

The City Council and Planning Commission conducted work sessions on Accessory Apartments—and the City Council adopted goals for Land Management Code amendments—outlined in the table below:

July 12, 2018	City Council Work Session Staff provided an analysis of Accessory Apartments and potential barriers to development. Staff identified additional parking requirements as the major constraint to Accessory Apartment development. The Council expressed support to pursue Accessory Apartment LMC amendments and requested that staff return with a list of options to remove barriers to affordable units. (Staff Report ; Minutes , p. 2 – 3)
November 7, 2019	City Council Adopted the 2020 Housing Assessment and Plan Goal 3 of the 2020 Housing Assessment and Plan (p. 16) is in part to amend the LMC to incentivize the construction and rental of affordable Accessory Apartments through reduced parking requirements. (Staff Report ; Minutes , p. 16)

⁴ LMC [§ 15-4-7](#).

May 6, 2020	Sudbury Consulting, LLC submitted recommendations to incentivize Accessory Apartment development The City hired a consultant to evaluate the Accessory Apartment code. The consultant's Accessory Apartment Unit Policy Research Report (Policy Research Report) recommends eliminating restrictions, establishing by-right approval for projects that meet certain standards, reducing application and impact fees, partnering with local banks to explore financing programs, and creating user-friendly manuals, materials, workshops, and technical assistance for community members.
June 24, 2020	Planning Commission Work Session Staff provided research on tiny homes and presented the findings of the Policy Research Report. The Planning Commission expressed support to: • Allow Accessory Apartments in the Community Transition Zoning District • Expand the Land Management Code to allow detached Accessory Dwelling Units in some Zoning Districts • Extend the minimum rental timeline from 31 days to 90 days • Reduce the minimum square footage to as low as 280 square feet • Evaluate the proximity prohibitions and eliminate them in certain Zoning Districts (Staff Report; Minutes, p. 9)
November 19, 2020	City Council Adopted the 2021 Update to the Housing Assessment and Plan Goal 2 of the 2021 Housing Assessment and Plan is to complete the amendments to allow ADUs in appropriate neighborhoods (p. 5). (Staff Report; Minutes, p. 7)

This purpose of this work session is to discuss LMC amendments to address the Utah Legislature's 2021 enactment of H.B. 82 *Single-Family Housing Modifications*, which pre-empts certain local regulations for what the state defines as Internal Accessory Dwelling Units (IADUs).

December 30, 2020	The Utah Legislature made H.B. 82, <i>Single-Family Housing Modifications</i> available to the public. The first draft prohibited cities from establishing limitations on the size of an ADU or from requiring additional parking. The Utah Legislature considered five substitute bills, and each created more autonomy for cities.
March 16, 2021	The Governor signed H.B. 82, Single-Family Housing Modifications, 5th Substitute. H.B. 82 takes effect on October 1, 2021 and allows property owners of a Single-Family Dwelling in a primarily residential Zoning District to create an Internal Accessory Dwelling Unit (IADU) within the footprint of an existing Single-Family Dwelling in certain circumstances.
April 20, 2021	The Utah Department of Workforce Services Commission on Housing Affordability met and discussed possible revisions to H.B. 82 in a 2021 special session, or in the 2022 Legislative Session. Staff will continue to monitor proposed changes.

Analysis

The Land Management Code (LMC) “is designed, enacted, restated and reorganized to implement the goals and policies of the Park City General Plan, and . . . [t]o protect and enhance the vitality of the City’s resort-based economy, the overall quality of life, the Historic character, and unique mountain town community.”⁵

Because the City is significantly built out, the General Plan states that “[t]he next essential step is that Park City identify the type of development that would be compatible within the existing neighborhoods, ranging from an accessory dwelling on a large single family lot, to a multi-family residential building in a mixed use area, to affordable housing, or nightly rental options.”⁶

To incentivize ADU development, the [Policy Research Report](#) recommends creating by-right land use regulations in place of Conditional Use Permits and other discretionary review processes (p.7). H.B. 82 establishes by-right land use regulations for certain IADUs. H.B. 82 pre-empts certain LMC Accessory Apartment provisions, but there are LMC amendments staff can prepare to help create IADU regulations that are compatible within existing neighborhoods.

⁵ LMC [§ 15-1-2](#).

⁶ [General Plan Volume I, Small Town, p. 3](#).

H.B. 82 defines an Internal Accessory Dwelling Unit (IADU) as a unit created:

- (i) within a primary dwelling – a detached Single-Family Dwelling occupied as the primary residence of the owner of record;
- (ii) within the footprint of the primary dwelling at the time the IADU is created; and
- (iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.⁷

IADUs are allowed “[i]n any area zoned primarily for residential use.”⁸

The City cannot establish restrictions or requirements regarding:

- IADU size in relation to the Single-Family Dwelling
- Total lot size
- Street frontage⁹

The City may:

- Prohibit the installation of a separate utility meter for the IADU
- Require that an IADU be designed in a way that does not change the appearance of the Single-Family Dwelling
- Require one additional on-site parking space for an IADU, regardless of whether the Single-Family Dwelling is existing or new construction
- Require replacement of any parking spaces within a garage if an IADU displaces the parking spaces
- Prohibit IADUs in mobile homes
- Require the property owner to obtain a permit or license to rent an IADU
- Prohibit IADUs within Zoning Districts covering an area equivalent to 25% or less of the total area in the City that is zoned primarily for residential use
- Prohibit an IADU if the Single-Family Dwelling is served by a failing septic tank
- Prohibit IADUs on lots with 6,000 square feet or less
- Prohibit Nightly Rentals in the IADU
- Prohibit rental of an IADU if the Single-Family Dwelling is not the owner’s primary residence
- Hold a lien against a property with a non-compliant IADU
- Record a notice for IADU violations¹⁰

Reducing Land Management Code obstacles to Accessory Apartment regulations at this time may help incentivize development of affordable units over the next two years because H.B. 82 creates a two-year low-income ADU loan guarantee pilot program.

⁷ [H.B. 82](#), line 141.

⁸ [H.B. 82](#), line 149.

⁹ [H.B. 82](#), line 151.

¹⁰ [H.B. 82](#), line 160.

The [Policy Research Report](#) identified financing as an obstacle to construction of Accessory Apartments:

Because [Accessory Apartment] development is still relatively new and uncommon, specific [Accessory Apartment] loan products do not really exist in the market. As a result, it can be difficult or sometimes impossible to obtain conventional financing through a bank for [Accessory Apartment] construction . . . One reason financing continues to be a barrier may have to do with old guidance from Fannie Mae and Freddie Mac that limited an appraiser's ability to consider the income-generating value of an [Accessory Apartment] in an appraisal. While this guidance no longer exists, there is still confusion about how an [Accessory Apartment] *should* be appraised, and no agreed upon method to determine how much value an [Accessory Apartment] adds to a property. As a result, many lending institutions tend to devalue [Accessory Apartments], with some giving only incidental or contributory value to the improvement (p. 9 – 10).

H.B. 82 requires the Olene Walker Housing Loan Fund Executive Director to establish, a two-year pilot program to provide guarantees for low-income ADU loans, defined as “a loan made by a lender to a borrower for the purpose of financing the construction of an accessory dwelling unit that is (i) located on the borrower’s residential property; and (ii) rented to a low-income individual.” A low-income individual is “an individual whose household income is less than 80% of the area median income.”¹¹

The loans must have a 15-year term with a fixed interest rate and the ADU must be constructed within one year of the loan issuance, the property owner must live on site for the duration of the loan, and the ADU must be rented to low-income individuals for the remainder of the term of the loan.¹²

Most of H.B. 82 is specific to IADUs. However, the loan guarantee pilot program includes ADUs, defined by the Utah Code as “a habitable living unit added to, created within, or detached from a primary single-family dwelling and contained on one lot,” so funding could become available for Accessory Apartments that are rented to low-income individuals for at least 15 years.¹³

Staff recommends amending Land Management Code § 15-15-1 *Definitions* to clarify terms.

In the 2020 work session, the Planning Commission recommended updating defined terms in the LMC for different Accessory Uses.¹⁴ Staff recommends adding a definition for *Internal Accessory Dwelling Unit* to the LMC and distinguishing the term from *Accessory Apartment* to clarify the conditions in which H.B. 82 applies.

¹¹ [H.B. 82](#), line 712.

¹² [H.B. 82](#), line 722.

¹³ Utah Code [§ 10-9a-103\(1\)](#).

¹⁴ In addition to defining *Accessory Apartments*, the LMC defines *Guest House*, *Lockout Unit*, and *Secondary Living Quarters*.

The primary distinction is that an Accessory Apartment can be an addition to a Single-Family Dwelling or garage and an IADU must be constructed within the existing footprint of a Single-Family Dwelling or garage. The LMC regulations specific to Accessory Apartments can remain in place and staff will continue to develop the LMC amendments recommended by the Planning Commission in 2020.

IADUs are only allowed in Primarily Residential Zoning Districts and the City can define these.

The Utah Code does not define Primarily Residential Zoning Districts. In 2019, the City Council enacted [Ordinance No. 2019-64](#), amending the LMC to establish Medical Cannabis land use regulations. The amendments defined *Primarily Residential Zoning Districts* specific to Medical Cannabis Facilities and Pharmacies and included residential clusters within Zoning Districts like the Light Industrial and Community Transition.

Staff recommends the Planning Commission consider defining Primarily Residential Zoning Districts specific to IADU regulations, too. The definition may be broad and include:

- Historic Residential Low – Density
- Historic Residential – 1
- Historic Residential – 2
- Historic Residential Medium – Density
- Rural Estate
- Estate
- Single-Family
- Residential – 1
- Residential Development
- Residential Development – Medium
- Residential – Medium Development

and Zoning Districts that include residential clusters but are not primarily residential:

- General Commercial
- Light Industrial
- Community Transition

Staff recommends the Planning Commission prohibit IADUs in the Historic Recreation Commercial and Historic Commercial Business Zoning Districts to protect Main Street vibrancy. Storefront Properties are required to be restaurant, bar, and commercial uses. Residential uses are prohibited. H.B. 82 prohibits the City from regulating street frontage, so if IADUs were allowed in these Historic Commercial areas, they could be constructed in Storefront Property.¹⁵

¹⁵ [H.B. 82](#), line 156.

Would the Planning Commission like staff to explore a broad or narrow Primarily Residential Zoning District definition for IADUs?

The City can prohibit IADUs from Primarily Residential Historic Zoning Districts, or any other area that is 25% or less of the total Primarily Residential Zoning Districts.

Because IADUs are required to be constructed within the existing Building Footprint of a Single-Family Dwelling or garage, and the City can require that an additional parking space be required for IADUs, construction of these should have minimal impact on the community. However, staff recommends LMC amendments specific to the Historic Districts.

Staff recommends the Planning Commission consider the impacts of IADUs in Primarily Residential Historic Zoning Districts. The LMC implements the goals and policies of the Park City General Plan in part to “allow Development in a manner that encourages the preservation of . . . Historic Structures, the integrity of Historic Districts, and the unique urban scale of original Park City.”¹⁶ One of the core values of the Park City General Plan is to preserve the City’s Historic Character.

Goal 15 is to “[p]reserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.” Objective 15B is to “[m]aintain character, context, and scale of local Historic Districts with compatible infill development and additions.”

The City may prohibit IADUs within Zoning Districts covering an area equivalent to 25% or less of the total area in the City that is zoned primarily for residential use.¹⁷ Existing Historic Structures designated on the Park City Historic Sites Inventory are exempt from parking requirements unless an addition creates an Accessory Apartment.¹⁸ The parking exemption is provided to encourage Historic Structure rehabilitation and to reduce the visual impacts of garages and cars on Historic Sites and in Old Town.

The City may amend the LMC to require one additional on-site parking space for an IADU, regardless of whether the Single-Family Dwelling is existing or new construction. The residential Historic Zoning Districts allow for private driveways in Side and Rear Setbacks and some Lots could accommodate an additional parking space, even though the main Historic Structure may be exempt from providing two parking spaces per Single-Family Dwelling required by code.¹⁹

However, increased residential density in this area may impact traffic and parking on narrow Rights-of-Way. The City requires [residential parking passes](#) in Old Town to

¹⁶ LMC [§ 15-1-2](#).

¹⁷ [H.B. 82](#), line 175.

¹⁸ LMC [§ 15-2.1-4](#).

¹⁹ LMC [§ 15-2.1-3\(J\)\(8\)](#).

manage limited parking.

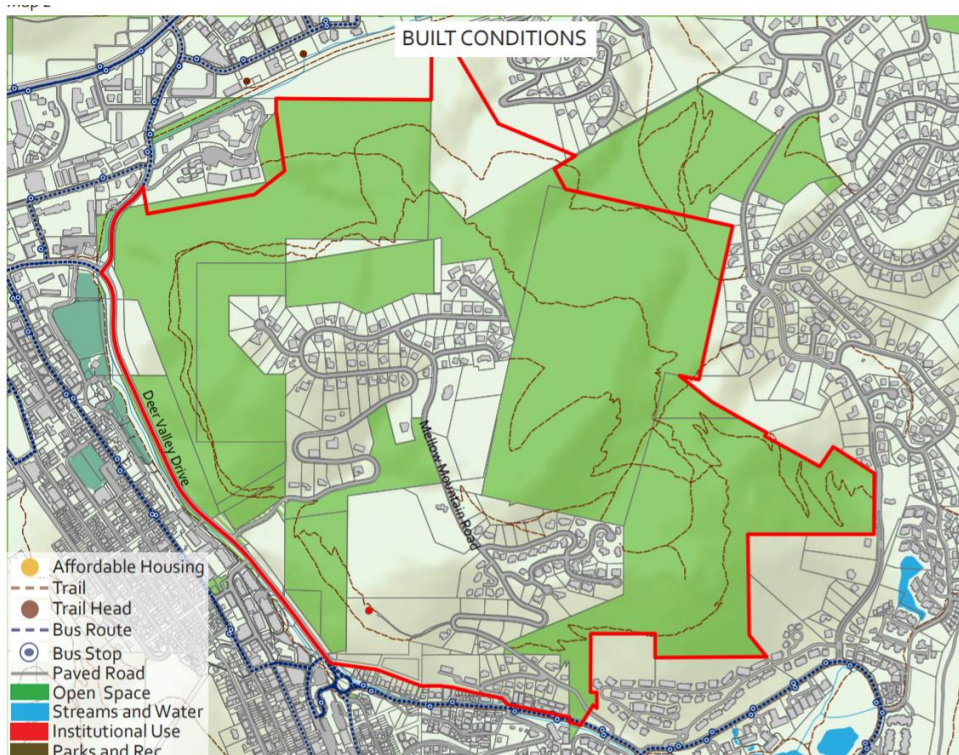
Accessory Apartments are a Conditional Use in the Historic Residential Low – Density (HRL), Historic Residential – 1 (HR – 1), and Historic Residential – 2 (HR – 2) Zoning Districts and require the Planning Commission to evaluate traffic and parking prior to approval. Staff could draft LMC amendments to prohibit IADUs in these residential Historic Zoning Districts as part of the 25% of Primarily Residential Zoning Districts that may be exempt from IADUs.

Would the Planning Commission like staff to explore prohibiting IADUs in Historic Residential Zoning Districts?

The General Plan specifically recommends prohibiting ADUs in the Masonic Hill neighborhood.

The General Plan includes information on ADUs regarding increasing affordable housing stock in the City but recommends prohibiting ADUs in the Masonic Hill neighborhood because the neighborhood is “a critical area for protection and conservation” and “is not appropriate for additional density. In this context, lockouts and accessory dwelling units should be prohibited.”²⁰

The Masonic Hill neighborhood includes the Aerie, Mellow Mountain, and Sunnyside sub-neighborhoods east of Deer Valley Drive, shown on the General Plan map below:



²⁰ [General Plan Volume II, Neighborhoods – Masonic Hill, p. 46.](#)

While detached ADUs may impact these neighborhoods, would the Planning Commission like to allow IADUs in this area because they would be constructed within existing Single-Family Dwelling Building Footprints?

The City cannot regulate IADU size in relation to a Single-Family Dwelling but can establish a minimum and maximum size for the IADU.

Accessory Apartments cannot be less than 400 or more than 1,000 square feet.²¹ In the 2020 work session, the Planning Commission expressed an interest in lowering the minimum allowed size to 280 square feet.

The LMC requires one additional parking space for each Accessory Apartment bedroom.²² H.B. 82 only allows the City to require one additional parking space per IADU.²³ Establishing a cap on the allowable IADU size—like the Accessory Apartment cap—could result in smaller units with fewer bedrooms and help mitigate potential on-street parking impacts.

Would the Planning Commission like to establish a minimum and maximum size for IADUs?

The City can prohibit IADUs on Lots with 6,000 square feet (0.14 acres) or less.

Amending the LMC to prohibit IADUs on Lots with 6,000 square feet or less could minimize IADUs in Park City, especially in the Historic Districts where Single-Family Dwelling Lots within the Historic Districts can be as small as 1,875 square feet.

Does the Planning Commission recommend prohibiting IADUs on Lots with 6,000 square feet or less?

The City can prohibit Nightly Rentals in IADUs.

Based on previous input provided by the Planning Commission and City Council, staff recommends amending the LMC to prohibit Nightly Rentals in IADUs because increased housing stock used for Nightly Rentals decreases long-term rental availability for the City's workforce.

The City may prohibit rental of an IADU if the Single-Family Dwelling is not the owner's primary residence.

The [Policy Research Report](#) identifies two issues when owners are required to occupy a property with an ADU: (1) the requirement limits the value of the ADU by depriving homeowners of the flexibility of choosing how to use the property and owners cannot move away from the property without selling it and cannot consider the option of the

²¹ LMC [§ 15-4-7\(A\)\(1\)](#).

²² LMC [§ 15-4-7\(A\)\(2\)](#).

²³ [H.B. 82](#), line 165.

property serving as a future investment property, and (2) the requirements limit the value of the property in the eyes of a lender (p. 4).

The LMC requires that a property owner live on-site for Accessory Apartments. However, in the 2020 work session, the Planning Commission recommended re-evaluating this requirement – rather than require the property owner to live on-site, require that both the Single-Family Dwelling and Accessory Apartment be long-term rentals (currently a rental offered for 31 days or more, but recommended by the Commission to be extended to 90 days or more).

Does the Planning Commission recommend requiring the property owner of a Single-Family Dwelling with an IADU to live on site?

Representative Raymond P. Ward proposes the following substitute bill:

SINGLE-FAMILY HOUSING MODIFICATIONS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: Jacob L. Anderegg

LONG TITLE

General Description:

This bill modifies provisions related to single-family housing.

Highlighted Provisions:

This bill:

- ▶ modifies and defines terms applicable to municipal and county land use development and management;
- ▶ allows a municipality or county to punish an individual who lists or offers a certain licensed or permitted accessory dwelling unit as a short-term rental;
- ▶ allows municipalities and counties to require specified physical changes to certain accessory dwelling units;
- ▶ in any single-family residential land use zone:
 - requires municipalities and counties to classify certain accessory dwelling units as a permitted land use; and
 - prohibits municipalities and counties from establishing restrictions or requirements for certain accessory dwelling units with limited exceptions;
- ▶ allows a municipality or county to hold a lien against real property containing certain accessory dwelling units in certain circumstances;
- ▶ provides for statewide amendments to the International Residential Code related to



accessory dwelling units;

- requires the executive director of the Olene Walker Housing Loan Fund to establish a two-year pilot program to provide loan guarantees for certain loans related to

accessory dwelling units;

- prevents a homeowners association from prohibiting the construction or rental of certain accessory dwelling units; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

10-8-85.4, as enacted by Laws of Utah 2017, Chapter 335

10-9a-505.5, as last amended by Laws of Utah 2012, Chapter 172

10-9a-511.5, as enacted by Laws of Utah 2015, Chapter 205

15A-3-202, as last amended by Laws of Utah 2020, Chapter 441

15A-3-204, as last amended by Laws of Utah 2016, Chapter 249

15A-3-206, as last amended by Laws of Utah 2018, Chapter 186

17-27a-505.5, as last amended by Laws of Utah 2015, Chapter 465

17-27a-510.5, as enacted by Laws of Utah 2015, Chapter 205

17-50-338, as enacted by Laws of Utah 2017, Chapter 335

35A-8-505, as last amended by Laws of Utah 2020, Chapter 241

57-8a-209, as last amended by Laws of Utah 2018, Chapter 395

57-8a-218, as last amended by Laws of Utah 2017, Chapter 131

ENACTS:

10-9a-530, Utah Code Annotated 1953

17-27a-526, Utah Code Annotated 1953

35A-8-504.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-8-85.4** is amended to read:

10-8-85.4. Ordinances regarding short-term rentals -- Prohibition on ordinances restricting speech on short-term rental websites.

(1) As used in this section:

(a) "Internal accessory dwelling unit" means the same as that term is defined in Section 10-9a-511.5.

~~[(a)]~~ (b) "Residential unit" means a residential structure or any portion of a residential structure that is occupied as a residence.

~~[(b)]~~ (c) "Short-term rental" means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

~~[(c)]~~ (d) "Short-term rental website" means a website that:

(i) allows a person to offer a short-term rental to one or more prospective renters; and

(ii) facilitates the renting of, and payment for, a short-term rental.

(2) Notwithstanding Section 10-9a-501 or Subsection 10-9a-503(1), a legislative body may not:

(a) enact or enforce an ordinance that prohibits an individual from listing or offering a short-term rental on a short-term rental website; or

(b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term rental on a short-term rental website.

(3) Subsection (2) does not apply to an individual who lists or offers an internal accessory dwelling unit as a short-term rental on a short-term rental website if the municipality records a notice for the internal accessory dwelling unit under Subsection 10-9a-530(6).

Section 2. Section **10-9a-505.5** is amended to read:

10-9a-505.5. Limit on single family designation.

(1) As used in this section, "single-family limit" means the number of ~~[unrelated]~~ individuals allowed to occupy each residential unit that is recognized by a land use authority in a zone permitting occupancy by a single family.

(2) A municipality may not adopt a single-family limit that is less than:

(a) three, if the municipality has within its boundary:

- (i) a state university; or
- (ii) a private university with a student population of at least 20,000; or
- (b) four, for each other municipality.

Section 3. Section **10-9a-511.5** is amended to read:

10-9a-511.5. Changes to dwellings -- Egress windows.

(1) ~~[For purposes of]~~ As used in this section~~[-,"rental"]~~:

(a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

(i) within a primary dwelling;

(ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the time the internal accessory dwelling unit is created; and

(iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

(b) "Primary dwelling" means a single-family dwelling that:

(i) is detached; and

(ii) is occupied as the primary residence of the owner of record.

(c) "Rental dwelling" means the same as that term is defined in Section 10-8-85.5.

(2) A municipal ordinance adopted under Section 10-1-203.5 may not:

(a) require physical changes in a structure with a legal nonconforming rental dwelling use unless the change is for:

(i) the reasonable installation of:

(A) a smoke detector that is plugged in or battery operated;

(B) a ground fault circuit interrupter protected outlet on existing wiring;

(C) street addressing;

(D) except as provided in Subsection (3), an egress bedroom window if the existing bedroom window is smaller than that required by current State Construction Code;

(E) an electrical system or a plumbing system, if the existing system is not functioning or is unsafe as determined by an independent electrical or plumbing professional who is licensed in accordance with Title 58, Occupations and Professions;

(F) hand or guard rails; or

(G) occupancy separation doors as required by the International Residential Code; or

(ii) the abatement of a structure; or

(b) be enforced to terminate a legal nonconforming rental dwelling use.

(3) (a) A municipality may not require physical changes to install an egress or emergency escape window in an existing bedroom that complied with the State Construction Code in effect at the time the bedroom was finished if:

~~[(a)]~~ (i) the dwelling is an owner-occupied dwelling or a rental dwelling that is:
~~[(i)]~~ (A) a detached one-, two-, three-, or four-family dwelling; or
~~[(ii)]~~ (B) a town home that is not more than three stories above grade with a separate means of egress; and

~~[(b)-(i)]~~ (ii) (A) the window in the existing bedroom is smaller than that required by current State Construction Code; and

~~[(ii)]~~ (B) the change would compromise the structural integrity of the structure or could not be completed in accordance with current State Construction Code, including set-back and window well requirements.

(b) Subsection (3)(a) does not apply to an internal accessory dwelling unit.

(4) Nothing in this section prohibits a municipality from:

(a) regulating the style of window that is required or allowed in a bedroom;

(b) requiring that a window in an existing bedroom be fully openable if the openable area is less than required by current State Construction Code; or

(c) requiring that an existing window not be reduced in size if the openable area is smaller than required by current State Construction Code.

Section 4. Section **10-9a-530** is enacted to read:

10-9a-530. Internal accessory dwelling units.

(1) As used in this section:

(a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

(i) within a primary dwelling;

(ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the time the internal accessory dwelling unit is created; and

(iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

(b) "Primary dwelling" means a single-family dwelling that:

(i) is detached; and

(ii) is occupied as the primary residence of the owner of record.

(2) In any area zoned primarily for residential use:

150 (a) the use of an internal accessory dwelling unit is a permitted use; and

151 (b) except as provided in Subsection (4), a municipality may not establish any
152 restrictions or requirements for the construction or use of one internal accessory dwelling unit
153 within a primary dwelling, including a restriction or requirement governing:

154 (i) the size of the internal accessory dwelling unit in relation to the primary dwelling;

155 (ii) total lot size; or

156 (iii) street frontage.

157 (3) An internal accessory dwelling unit shall comply with all applicable building,
158 health, and fire codes.

159 (4) A municipality may:

160 (a) prohibit the installation of a separate utility meter for an internal accessory dwelling
161 unit;

162 (b) require that an internal accessory dwelling unit be designed in a manner that does
163 not change the appearance of the primary dwelling as a single-family dwelling;

164 (c) require a primary dwelling:

165 (i) to include one additional on-site parking space for an internal accessory dwelling
166 unit, regardless of whether the primary dwelling is existing or new construction; and

167 (ii) to replace any parking spaces contained within a garage or carport if an internal
168 accessory dwelling unit is created within the garage or carport;

169 (d) prohibit the creation of an internal accessory dwelling unit within a mobile home as
170 defined in Section [57-16-3](#);

171 (e) require the owner of a primary dwelling to obtain a permit or license for renting an
172 internal accessory dwelling unit;

173 (f) prohibit the creation of an internal accessory dwelling unit within a zoning district
174 covering an area that is equivalent to:

175 (i) 25% or less of the total area in the municipality that is zoned primarily for
176 residential use; or

177 (ii) 67% or less of the total area in the municipality that is zoned primarily for
178 residential use, if the main campus of a state or private university with a student population of
179 10,000 or more is located within the municipality;

180 (g) prohibit the creation of an internal accessory dwelling unit if the primary dwelling

181 is served by a failing septic tank;

182 (h) prohibit the creation of an internal accessory dwelling unit if the lot containing the
183 primary dwelling is 6,000 square feet or less in size;

184 (i) prohibit the rental or offering the rental of an internal accessory dwelling unit for a
185 period of less than 30 consecutive days;

186 (j) prohibit the rental of an internal accessory dwelling unit if the internal accessory
187 dwelling unit is located in a dwelling that is not occupied as the owner's primary residence;

188 (k) hold a lien against a property that contains an internal accessory dwelling unit in
189 accordance with Subsection (5); and

190 (l) record a notice for an internal accessory dwelling unit in accordance with
191 Subsection (6).

192 (5) (a) In addition to any other legal or equitable remedies available to a municipality, a
193 municipality may hold a lien against a property that contains an internal accessory dwelling
194 unit if:

195 (i) the owner of the property violates any of the provisions of this section or any
196 ordinance adopted under Subsection (4);

197 (ii) the municipality provides a written notice of violation in accordance with
198 Subsection (5)(b);

199 (iii) the municipality holds a hearing and determines that the violation has occurred in
200 accordance with Subsection (5)(d), if the owner files a written objection in accordance with
201 Subsection (5)(b)(iv);

202 (iv) the owner fails to cure the violation within the time period prescribed in the
203 written notice of violation under Subsection (5)(b);

204 (v) the municipality provides a written notice of lien in accordance with Subsection
205 (5)(c); and

206 (vi) the municipality records a copy of the written notice of lien described in
207 Subsection (5)(a)(iv) with the county recorder of the county in which the property is located.

208 (b) The written notice of violation shall:

209 (i) describe the specific violation;

210 (ii) provide the owner of the internal accessory dwelling unit a reasonable opportunity
211 to cure the violation that is:

(A) no less than 14 days after the day on which the municipality sends the written notice of violation, if the violation results from the owner renting or offering to rent the internal accessory dwelling unit for a period of less than 30 consecutive days; or

(B) no less than 30 days after the day on which the municipality sends the written notice of violation, for any other violation;

(iii) state that if the owner of the property fails to cure the violation within the time period described in Subsection (5)(b)(ii), the municipality may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;

(iv) notify the owner of the property:

(A) that the owner may file a written objection to the violation within 14 days after the day on which the written notice of violation is post-marked or posted on the property; and

(B) of the name and address of the municipal office where the owner may file the written objection;

(v) be mailed to:

(A) the property's owner of record; and

(B) any other individual designated to receive notice in the owner's license or permit records; and

(vi) be posted on the property.

(c) The written notice of lien shall:

(i) comply with the requirements of Section [38-12-102](#);

(ii) state that the property is subject to a lien;

(iii) specify the lien amount, in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;

(iv) be mailed to:

(A) the property's owner of record; and

(B) any other individual designated to receive notice in the owner's license or permit records; and

(v) be posted on the property.

(d) (i) If an owner of property files a written objection in accordance with Subsection (5)(b)(iv), the municipality shall:

(A) hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act, to conduct a review and determine whether the specific violation described in the written notice of violation under Subsection (5)(b) has occurred; and

(B) notify the owner in writing of the date, time, and location of the hearing described in Subsection (5)(d)(i)(A) no less than 14 days before the day on which the hearing is held.

(ii) If an owner of property files a written objection under Subsection (5)(b)(iv), a municipality may not record a lien under this Subsection (5) until the municipality holds a hearing and determines that the specific violation has occurred.

(iii) If the municipality determines at the hearing that the specific violation has occurred, the municipality may impose a lien in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.

(e) If an owner cures a violation within the time period prescribed in the written notice of violation under Subsection (5)(b), the municipality may not hold a lien against the property, or impose any penalty or fee on the owner, in relation to the specific violation described in the written notice of violation under Subsection (5)(b).

(6) (a) A municipality that issues a permit or license to the owner of an internal accessory dwelling unit to rent the internal accessory dwelling unit, or issues a building permit to the owner of an internal accessory dwelling unit to create the internal accessory dwelling unit, may record a notice in the office of the recorder of the county in which the property is located.

(b) The notice described in Subsection (6)(a) shall include:

(i) a description of the primary dwelling;

(ii) a statement that the primary dwelling contains an internal accessory dwelling unit;

and

(iii) a statement that the internal accessory dwelling unit may only be used in accordance with the municipality's land use regulations.

(c) The municipality shall, upon recording the notice described in Subsection (6)(a), deliver a copy of the notice to the owner of the internal accessory dwelling unit.

Section 5. Section **15A-3-202** is amended to read:

15A-3-202. Amendments to Chapters 1 through 5 of IRC.

(1) In IRC, Section R102, a new Section R102.7.2 is added as follows: "R102.7.2 Physical change for bedroom window egress. A structure whose egress window in an existing bedroom is smaller than required by this code, and that complied with the construction code in effect at the time that the bedroom was finished, is not required to undergo a physical change to conform to this code if the change would compromise the structural integrity of the structure or could not be completed in accordance with other applicable requirements of this code, including setback and window well requirements."

(2) In IRC, Section R108.3, the following sentence is added at the end of the section: "The building official shall not request proprietary information."

(3) In IRC, Section 109:

(a) A new IRC, Section 109.1.5, is added as follows: "R109.1.5 Weather-resistant exterior wall envelope inspections. An inspection shall be made of the weather-resistant exterior wall envelope as required by Section R703.1 and flashings as required by Section R703.8 to prevent water from entering the weather-resistive barrier."

(b) The remaining sections are renumbered as follows: R109.1.6 Other inspections; R109.1.6.1 Fire- and smoke-resistance-rated construction inspection; R109.1.6.2 Reinforced masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection; and R109.1.7 Final inspection.

(4) IRC, Section R114.1, is deleted and replaced with the following: "R114.1 Notice to owner. Upon notice from the building official that work on any building or structure is being prosecuted contrary to the provisions of this code or other pertinent laws or ordinances or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent or to the person doing the work; and shall state the conditions under which work will be permitted to resume."

(5) In IRC, Section R202, the following definition is added: "ACCESSORY DWELLING UNIT: A habitable living unit created within the existing footprint of a primary owner-occupied single-family dwelling."

~~[(5)]~~ (6) In IRC, Section R202, the following definition is added: "CERTIFIED BACKFLOW PREVENTER ASSEMBLY TESTER: A person who has shown competence to

test Backflow prevention assemblies to the satisfaction of the authority having jurisdiction under Utah Code, Subsection 19-4-104(4)."

~~[(6)]~~ (7) In IRC, Section R202, the definition of "Cross Connection" is deleted and replaced with the following: "CROSS CONNECTION. Any physical connection or potential connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other either water of unknown or questionable safety or steam, gas, or chemical, whereby there exists the possibility for flow from one system to the other, with the direction of flow depending on the pressure differential between the two systems (see "Backflow, Water Distribution")."

~~[(7)]~~ (8) In IRC, Section 202, in the definition for gray water a comma is inserted after the word "washers"; the word "and" is deleted; and the following is added to the end: "and clear water wastes which have a pH of 6.0 to 9.0; are non-flammable; non-combustible; without objectionable odors; non-highly pigmented; and will not interfere with the operation of the sewer treatment facility."

~~[(8)]~~ (9) In IRC, Section R202, the definition of "Potable Water" is deleted and replaced with the following: "POTABLE WATER. Water free from impurities present in amounts sufficient to cause disease or harmful physiological effects and conforming to the Utah Code, Title 19, Chapter 4, Safe Drinking Water Act, and Title 19, Chapter 5, Water Quality Act, and the regulations of the public health authority having jurisdiction."

~~[(9)]~~ (10) IRC, Figure R301.2(5), is deleted and replaced with R301.2(5) as follows:

"TABLE R301.2(5)			
GROUND SNOW LOADS FOR SELECTED LOCATIONS IN UTAH			
City/Town	County	Ground Snow Load (lb/ft ²)	Elevation (ft)
Beaver	Beaver	35	5886
Brigham City	Box Elder	42	4423
Castle Dale	Emery	32	5669
Coalville	Summit	57	5581
Duchesne	Duchesne	39	5508
Farmington	Davis	35	4318
Fillmore	Millard	30	5138

335	Heber City	Wasatch	60	5604
336	Junction	Piute	27	6030
337	Kanab	Kane	25	4964
338	Loa	Wayne	37	7060
339	Logan	Cache	43	4531
340	Manila	Daggett	26	6368
341	Manti	Sanpete	37	5620
342	Moab	Grand	21	4029
343	Monticello	San Juan	67	7064
344	Morgan	Morgan	52	5062
345	Nephi	Juab	39	5131
346	Ogden	Weber	37	4334
347	Panguitch	Garfield	41	6630
348	Parowan	Iron	32	6007
349	Price	Carbon	31	5558
350	Provo	Utah	31	4541
351	Randolph	Rich	50	6286
352	Richfield	Sevier	27	5338
353	St. George	Washington	21	2585
354	Salt Lake City	Salt Lake	28	4239
355	Tooele	Tooele	35	5029
356	Vernal	Uintah	39	5384

Note: To convert lb/ft² to kN/m², multiply by 0.0479. To convert feet to meters, multiply by 0.3048.

1. Statutory requirements of the Authority Having Jurisdiction are not included in this state ground snow load table.

2. For locations where there is substantial change in altitude over the city/town, the load applies at and below the cited elevation, with a tolerance of 100 ft (30 m).

3. For other locations in Utah, see Bean, B., Maguire, M., Sun, Y. (2018), "The Utah Snow Load Study," Utah State University Civil and Environmental Engineering Faculty Publications, Paper 3589, <http://utahsnowload.usu.edu/>, for ground snow load values.

~~[(10)]~~ (11) IRC, Section R301.6, is deleted and replaced with the following: "R301.6 Utah Snow Loads. The snow loads specified in Table R301.2(5b) shall be used for the jurisdictions identified in that table. Otherwise, for other locations in Utah, see Bean, B., Maguire, M., Sun, Y. (2018), "The Utah Snow Load Study," Utah State University Civil and Environmental Engineering Faculty Publications, Paper 3589, <http://utahsnowload.usu.edu/>, for ground snow load values."

~~[(11)]~~ (12) In IRC, Section R302.2, the following sentence is added after the second sentence: "When an access/maintenance agreement or easement is in place, plumbing, mechanical ducting, schedule 40 steel gas pipe, and electric service conductors including feeders, are permitted to penetrate the common wall at grade, above grade, or below grade."

(13) In IRC, Section R302.3, a new exception 3 is added as follows: "3. Accessory dwelling units separated by walls or floor assemblies protected by not less than 1/2-inch (12.7 mm) gypsum board or equivalent on each side of the wall or bottom of the floor assembly are exempt from the requirements of this section."

~~[(12)]~~ (14) In IRC, Section R302.5.1, the words "self-closing device" are deleted and replaced with "self-latching hardware."

~~[(13)]~~ (15) IRC, Section R302.13, is deleted.

~~[(14)]~~ (16) In IRC, Section R303.4, the number "5" is changed to "3" in the first sentence.

(17) In IRC, Section R310.6, in the exception, the words "or accessory dwelling units" are added after the words "sleeping rooms".

~~[(15)]~~ (18) IRC, Sections R311.7.4 through R311.7.5.3, are deleted and replaced with

the following: "R311.7.4 Stair treads and risers. R311.7.5.1 Riser height. The maximum riser height shall be 8 inches (203 mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

R311.7.5.2 Tread depth. The minimum tread depth shall be 9 inches (228 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Winder treads shall have a minimum tread depth of 10 inches (254 mm) measured as above at a point 12 inches (305 mm) from the side where the treads are narrower. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the greatest winder tread depth at the 12-inch (305 mm) walk line shall not exceed the smallest by more than 3/8 inch (9.5 mm).

R311.7.5.3 Profile. The radius of curvature at the leading edge of the tread shall be no greater than 9/16 inch (14.3 mm). A nosing not less than 3/4 inch (19 mm) but not more than 1 1/4 inches (32 mm) shall be provided on stairways with solid risers. The greatest nosing projection shall not exceed the smallest nosing projection by more than 3/8 inch (9.5 mm) between two stories, including the nosing at the level of floors and landings. Beveling of nosing shall not exceed 1/2 inch (12.7 mm). Risers shall be vertical or sloped from the underside of the leading edge of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted, provided that the opening between treads does not permit the passage of a 4-inch diameter (102 mm) sphere.

Exceptions.

1. A nosing is not required where the tread depth is a minimum of 10 inches (254 mm).
2. The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less."

[~~(16)~~] (19) IRC, Section R312.2, is deleted.

[~~(17)~~] (20) IRC, Sections R313.1 through R313.2.1, are deleted and replaced with the following: "R313.1 Design and installation. When installed, automatic residential fire sprinkler systems for townhouses or one- and two-family dwellings shall be designed and installed in accordance with Section P2904 or NFPA 13D."

411 (21) In IRC, Section R314.2.2, the words "or accessory dwelling units" are added after
412 the words "sleeping rooms".

413 (22) In IRC, Section R315.2.2, the words "or accessory dwelling units" are added after
414 the words "sleeping rooms".

415 ~~[(18)]~~ (23) In IRC, Section 315.3, the following words are added to the first sentence
416 after the word "installed": "on each level of the dwelling unit and."

417 ~~[(19)]~~ (24) In IRC, Section R315.5, a new exception, 3, is added as follows:
418 "3. Hard wiring of carbon monoxide alarms in existing areas shall not be required where the
419 alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing
420 the structure, unless there is an attic, crawl space or basement available which could provide
421 access for hard wiring, without the removal of interior finishes."

422 ~~[(20)]~~ (25) A new IRC, Section R315.7, is added as follows: " R315.7 Interconnection.
423 Where more than one carbon monoxide alarm is required to be installed within an individual
424 dwelling unit in accordance with Section R315.1, the alarm devices shall be interconnected in
425 such a manner that the actuation of one alarm will activate all of the alarms in the individual
426 unit. Physical interconnection of smoke alarms shall not be required where listed wireless
427 alarms are installed and all alarms sound upon activation of one alarm.

428 Exception: Interconnection of carbon monoxide alarms in existing areas shall not be required
429 where alterations or repairs do not result in removal of interior wall or ceiling finishes exposing
430 the structure, unless there is an attic, crawl space or basement available which could provide
431 access for interconnection without the removal of interior finishes."

432 ~~[(21)]~~ (26) In IRC, Section R317.1.5, the period is deleted and the following language
433 is added to the end of the paragraph: "or treated with a moisture resistant coating."

434 ~~[(22)]~~ (27) In IRC, Section 326.1, the words "residential provisions of the" are added
435 after the words "pools and spas shall comply with".

436 ~~[(23)]~~ (28) In IRC, Section R403.1.6, a new Exception 3 is added as follows: "3.
437 When anchor bolt spacing does not exceed 32 inches (813 mm) apart, anchor bolts may be
438 placed with a minimum of two bolts per plate section located not less than 4 inches (102 mm)
439 from each end of each plate section at interior bearing walls, interior braced wall lines, and at
440 all exterior walls."

441 ~~[(24)]~~ (29) In IRC, Section R403.1.6.1, a new exception is added at the end of Item 2

and Item 3 as follows: "Exception: When anchor bolt spacing does not exceed 32 inches (816 mm) apart, anchor bolts may be placed with a minimum of two bolts per plate section located not less than 4 inches (102 mm) from each end of each plate section at interior bearing walls, interior braced wall lines, and at all exterior walls."

~~[(25)]~~ (30) In IRC, Section R404.1, a new exception is added as follows: "Exception: As an alternative to complying with Sections R404.1 through R404.1.5.3, concrete and masonry foundation walls may be designed in accordance with IBC Sections 1807.1.5 and 1807.1.6 as amended in Section 1807.1.6.4 and Table 1807.1.6.4 under these rules."

~~[(26)]~~ (31) In IRC, Section R405.1, a new exception is added as follows: "Exception: When a geotechnical report has been provided for the property, a drainage system is not required unless the drainage system is required as a condition of the geotechnical report. The geological report shall make a recommendation regarding a drainage system."

Section 6. Section **15A-3-204** is amended to read:

15A-3-204. Amendments to Chapters 16 through 25 of IRC.

(1) In IRC, Section M1602.2, a new exception is added at the end of Item 6 as follows: "Exception: The discharge of return air from an accessory dwelling unit into another dwelling unit, or into an accessory dwelling unit from another dwelling unit, is not prohibited."

(2) A new IRC, Section G2401.2, is added as follows: "G2401.2 Meter Protection. Fuel gas services shall be in an approved location and/or provided with structures designed to protect the fuel gas meter and surrounding piping from physical damage, including falling, moving, or migrating ice and snow. If an added structure is used, it must provide access for service and comply with the IBC or the IRC."

Section 7. Section **15A-3-206** is amended to read:

15A-3-206. Amendments to Chapters 36 through 44 and Appendix F of IRC.

(1) In IRC, Section E3601.6.2, a new exception is added as follows: "Exception: An occupant of an accessory dwelling unit is not required to have access to the disconnect serving the dwelling unit in which they reside."

~~[(+)]~~ (2) In IRC, Section E3705.4.5, the following words are added after the word "assemblies": "with ungrounded conductors 10 AWG and smaller".

~~[(2)]~~ (3) In IRC, Section E3901.9, the following exception is added: "Exception: Receptacles or other outlets adjacent to the exterior walls of the garage, outlets

adjacent to an exterior wall of the garage, or outlets in a storage room with entry from the garage may be connected to the garage branch circuit."

~~[(3)]~~ (4) IRC, Section E3902.16 is deleted.

~~[(4)]~~ (5) In Section E3902.17:

(a) following the word "Exception" the number "1." is added; and

(b) at the end of the section, the following sentences are added:

"2. This section does not apply for a simple move or an extension of a branch circuit or an outlet which does not significantly increase the existing electrical load. This exception does not include changes involving remodeling or additions to a residence."

~~[(5)]~~ (6) IRC, Chapter 44, is amended by adding the following reference standard:

"Standard reference number	Title	Referenced in code section number
USC-FCCCHR 10th Edition Manual of Cross Connection Control	Foundation for Cross-Connection Control and Hydraulic Research University of Southern California Kaprielian Hall 300 Los Angeles CA 90089-2531	Table P2902.3"

~~[(6)]~~ (7) (a) When passive radon controls or portions thereof are voluntarily installed, the voluntary installation shall comply with Appendix F of the IRC.

(b) An additional inspection of a voluntary installation described in Subsection ~~[(6)]~~ (7)(a) is not required.

Section 8. Section **17-27a-505.5** is amended to read:

17-27a-505.5. Limit on single family designation.

(1) As used in this section, "single-family limit" means the number of ~~[unrelated]~~ individuals allowed to occupy each residential unit that is recognized by a land use authority in a zone permitting occupancy by a single family.

(2) A county may not adopt a single-family limit that is less than:

(a) three, if the county has within its unincorporated area:

(i) a state university;

(ii) a private university with a student population of at least 20,000; or

(iii) a mountainous planning district; or

(b) four, for each other county.

Section 9. Section 17-27a-510.5 is amended to read:

17-27a-510.5. Changes to dwellings -- Egress windows.

(1) ~~[For purposes of]~~ As used in this section~~["rental"]~~:

(a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

(i) within a primary dwelling;

(ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the time the internal accessory dwelling unit is created; and

(iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

(b) "Primary dwelling" means a single-family dwelling that:

(i) is detached; and

(ii) is occupied as the primary residence of the owner of record.

(c) "Rental dwelling" means the same as that term is defined in Section 10-8-85.5.

(2) A county ordinance adopted under Section 10-1-203.5 may not:

(a) require physical changes in a structure with a legal nonconforming rental dwelling use unless the change is for:

(i) the reasonable installation of:

(A) a smoke detector that is plugged in or battery operated;

(B) a ground fault circuit interrupter protected outlet on existing wiring;

(C) street addressing;

(D) except as provided in Subsection (3), an egress bedroom window if the existing bedroom window is smaller than that required by current State Construction Code;

(E) an electrical system or a plumbing system, if the existing system is not functioning or is unsafe as determined by an independent electrical or plumbing professional who is licensed in accordance with Title 58, Occupations and Professions;

(F) hand or guard rails; or

(G) occupancy separation doors as required by the International Residential Code; or

(ii) the abatement of a structure; or

(b) be enforced to terminate a legal nonconforming rental dwelling use.

(3) (a) A county may not require physical changes to install an egress or emergency escape window in an existing bedroom that complied with the State Construction Code in effect at the time the bedroom was finished if:

531 ~~[(a)]~~ (i) the dwelling is an owner-occupied dwelling or a rental dwelling that is:
532 ~~[(i)]~~ (A) a detached one-, two-, three-, or four-family dwelling; or
533 ~~[(ii)]~~ (B) a town home that is not more than three stories above grade with a separate
534 means of egress; and
535 ~~[(b)-(i)]~~ (ii) (A) the window in the existing bedroom is smaller than that required by
536 current State Construction Code; and
537 ~~[(ii)]~~ (B) the change would compromise the structural integrity of the structure or could
538 not be completed in accordance with current State Construction Code, including set-back and
539 window well requirements.

540 (b) Subsection (3)(a) does not apply to an internal accessory dwelling unit.

541 (4) Nothing in this section prohibits a county from:

542 (a) regulating the style of window that is required or allowed in a bedroom;

543 (b) requiring that a window in an existing bedroom be fully openable if the openable
544 area is less than required by current State Construction Code; or

545 (c) requiring that an existing window not be reduced in size if the openable area is
546 smaller than required by current State Construction Code.

547 Section 10. Section **17-27a-526** is enacted to read:

548 **17-27a-526. Internal accessory dwelling units.**

549 (1) As used in this section:

550 (a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

551 (i) within a primary dwelling;

552 (ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the
553 time the internal accessory dwelling unit is created; and

554 (iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

555 (b) "Primary dwelling" means a single-family dwelling that:

556 (i) is detached; and

557 (ii) is occupied as the primary residence of the owner of record.

558 (2) In any area zoned primarily for residential use:

559 (a) the use of an internal accessory dwelling unit is a permitted use; and

560 (b) except as provided in Subsection (4), a county may not establish any restrictions or
561 requirements for the construction or use of one internal accessory dwelling unit within a

primary dwelling, including a restriction or requirement governing:

(i) the size of the internal accessory dwelling unit in relation to the primary dwelling;

(ii) total lot size; or

(iii) street frontage.

(3) An internal accessory dwelling unit shall comply with all applicable building, health, and fire codes.

(4) A county may:

(a) prohibit the installation of a separate utility meter for an internal accessory dwelling unit;

(b) require that an internal accessory dwelling unit be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling;

(c) require a primary dwelling:

(i) to include one additional on-site parking space for an internal accessory dwelling unit, regardless of whether the primary dwelling is existing or new construction; and

(ii) to replace any parking spaces contained within a garage or carport if an internal accessory dwelling unit is created within the garage or carport;

(d) prohibit the creation of an internal accessory dwelling unit within a mobile home as defined in Section [57-16-3](#);

(e) require the owner of a primary dwelling to obtain a permit or license for renting an internal accessory dwelling unit;

(f) prohibit the creation of an internal accessory dwelling unit within a zoning district covering an area that is equivalent to:

(i) 25% or less of the total unincorporated area in the municipality that is zoned primarily for residential use; or

(ii) 67% or less of the total unincorporated area in the county that is zoned primarily for residential use, if the main campus of a state or private university with a student population of 10,000 or more is located within the unincorporated area of the county;

(g) prohibit the creation of an internal accessory dwelling unit if the primary dwelling is served by a failing septic tank;

(h) prohibit the creation of an internal accessory dwelling unit if the lot containing the primary dwelling is 6,000 square feet or less in size;

593 (i) prohibit the rental or offering the rental of an internal accessory dwelling unit for a
594 period of less than 30 consecutive days;

595 (j) prohibit the rental of an internal accessory dwelling unit if the internal accessory
596 dwelling unit is located in a dwelling that is not occupied as the owner's primary residence;

597 (k) hold a lien against a property that contains an internal accessory dwelling unit in
598 accordance with Subsection (5); and

599 (l) record a notice for an internal accessory dwelling unit in accordance with
600 Subsection (6).

601 (5) (a) In addition to any other legal or equitable remedies available to a county, a
602 county may hold a lien against a property that contains an internal accessory dwelling unit if:

603 (i) the owner of the property violates any of the provisions of this section or any
604 ordinance adopted under Subsection (4);

605 (ii) the county provides a written notice of violation in accordance with Subsection
606 (5)(b);

607 (iii) the county holds a hearing and determines that the violation has occurred in
608 accordance with Subsection (5)(d), if the owner files a written objection in accordance with
609 Subsection (5)(b)(iv);

610 (iv) the owner fails to cure the violation within the time period prescribed in the
611 written notice of violation under Subsection (5)(b);

612 (v) the county provides a written notice of lien in accordance with Subsection (5)(c);
613 and

614 (vi) the county records a copy of the written notice of lien described in Subsection
615 (5)(a)(iv) with the county recorder of the county in which the property is located.

616 (b) The written notice of violation shall:

617 (i) describe the specific violation;

618 (ii) provide the owner of the internal accessory dwelling unit a reasonable opportunity
619 to cure the violation that is:

620 (A) no less than 14 days after the day on which the county sends the written notice of
621 violation, if the violation results from the owner renting or offering to rent the internal
622 accessory dwelling unit for a period of less than 30 consecutive days; or

623 (B) no less than 30 days after the day on which the county sends the written notice of

violation, for any other violation; and

(iii) state that if the owner of the property fails to cure the violation within the time period described in Subsection (5)(b)(ii), the county may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;

(iv) notify the owner of the property:

(A) that the owner may file a written objection to the violation within 14 days after the day on which the written notice of violation is post-marked or posted on the property; and

(B) of the name and address of the municipal office where the owner may file the written objection;

(v) be mailed to:

(A) the property's owner of record; and

(B) any other individual designated to receive notice in the owner's license or permit records; and

(vi) be posted on the property.

(c) The written notice of lien shall:

(i) comply with the requirements of Section [38-12-102](#);

(ii) describe the specific violation;

(iii) specify the lien amount, in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;

(iv) be mailed to:

(A) the property's owner of record; and

(B) any other individual designated to receive notice in the owner's license or permit records; and

(v) be posted on the property.

(d) (i) If an owner of property files a written objection in accordance with Subsection (5)(b)(iv), the county shall:

(A) hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act, to conduct a review and determine whether the specific violation described in the written notice of violation under Subsection (5)(b) has occurred; and

(B) notify the owner in writing of the date, time, and location of the hearing described

in Subsection (5)(d)(i)(A) no less than 14 days before the day on which the hearing is held.

(ii) If an owner of property files a written objection under Subsection (5)(b)(iv), a county may not record a lien under this Subsection (5) until the municipality holds a hearing and determines that the specific violation has occurred.

(iii) If the county determines at the hearing that the specific violation has occurred, the county may impose a lien in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.

(e) If an owner cures a violation within the time period prescribed in the written notice of violation under Subsection (5)(b), the county may not hold a lien against the property, or impose any penalty or fee on the owner, in relation to the specific violation described in the written notice of violation under Subsection (5)(b).

(6) (a) A county that issues a permit or license to the owner of an internal accessory dwelling unit to rent the internal accessory dwelling unit, or issues a building permit to the owner of an internal accessory dwelling unit to create the internal accessory dwelling unit, may record a notice in the office of the recorder of the county in which the property is located.

(b) The notice described in Subsection (6)(a) shall include:

(i) a description of the primary dwelling;

(ii) a statement that the primary dwelling contains an internal accessory dwelling unit; and

(iii) a statement that the internal accessory dwelling unit may only be used in accordance with the county's land use regulations.

(c) The county shall, upon recording the notice described in Subsection (6)(a), deliver a copy of the notice to the owner of the internal accessory dwelling unit.

Section 11. Section 17-50-338 is amended to read:

17-50-338. Ordinances regarding short-term rentals -- Prohibition on ordinances restricting speech on short-term rental websites.

(1) As used in this section:

(a) "Internal accessory dwelling unit" means the same as that term is defined in Section 10-9a-511.5.

~~(a)~~ (b) "Residential unit" means a residential structure or any portion of a residential

structure that is occupied as a residence.

~~[(b)]~~ (c) "Short-term rental" means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

~~[(c)]~~ (d) "Short-term rental website" means a website that:

(i) allows a person to offer a short-term rental to one or more prospective renters; and

(ii) facilitates the renting of, and payment for, a short-term rental.

(2) Notwithstanding Section 17-27a-501 or Subsection 17-27a-503(1), a legislative body may not:

(a) enact or enforce an ordinance that prohibits an individual from listing or offering a short-term rental on a short-term rental website; or

(b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term rental on a short-term rental website.

(3) Subsection (2) does not apply to an individual who lists or offers an internal accessory dwelling unit as a short-term rental on a short-term rental website if the county records a notice for the internal accessory dwelling unit under Subsection 17-27a-526(6).

Section 12. Section 35A-8-504.5 is enacted to read:

35A-8-504.5. Low-income ADU loan guarantee pilot program.

(1) As used in this section:

(a) "Accessory dwelling unit" means the same as that term is defined in Section 10-9a-103.

(b) "Borrower" means a residential property owner who receives a low-income ADU loan from a lender.

(c) "Lender" means a trust company, savings bank, savings and loan association, bank, credit union, or any other entity that provides low-income ADU loans directly to borrowers.

(d) "Low-income ADU loan" means a loan made by a lender to a borrower for the purpose of financing the construction of an accessory dwelling unit that is:

(i) located on the borrower's residential property; and

(ii) rented to a low-income individual.

(e) "Low-income individual" means an individual whose household income is less than

717 80% of the area median income.

718 (f) "Pilot program" means the two-year pilot program created in this section.

719 (2) The executive director shall establish a two-year pilot program to provide loan
720 guarantees on behalf of borrowers for the purpose of insuring the repayment of low-income
721 ADU loans.

722 (3) The executive director may not provide a loan guarantee for a low-income ADU
723 loan under the pilot program unless:

724 (a) the lender:

725 (i) agrees in writing to participate in the pilot program;

726 (ii) makes available to prospective borrowers the option of receiving a low-income
727 ADU loan that:

728 (A) has a term of 15 years; and

729 (B) charges interest at a fixed rate;

730 (iii) monitors the activities of the borrower on a yearly basis during the term of the loan
731 to ensure the borrower's compliance with:

732 (A) Subsection (3)(c); and

733 (B) any other term or condition of the loan; and

734 (iv) promptly notifies the executive director in writing if the borrower fails to comply
735 with:

736 (A) Subsection (3)(c); or

737 (B) any other term or condition of the loan;

738 (b) the loan terms of the low-income ADU loan:

739 (i) are consistent with the loan terms described in Subsection (3)(a)(ii); or

740 (ii) if different from the loan terms described in Subsection (3)(a)(ii), are mutually
741 agreed upon by the lender and the borrower; and

742 (c) the borrower:

743 (i) agrees in writing to participate in the pilot program;

744 (ii) constructs an accessory dwelling unit on the borrower's residential property within
745 one year after the day on which the borrower receives the loan;

746 (iii) occupies the primary residence to which the accessory dwelling unit is associated;

747 (A) after the accessory dwelling unit is completed; and

(B) for the remainder of the term of the loan; and

(iv) rents the accessory dwelling unit to a low-income individual:

(A) after the accessory dwelling unit is completed; and

(B) for the remainder of the term of the loan.

(4) At the direction of the board, the executive director shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish:

(a) the minimum criteria for lenders and borrowers to participate in the pilot program;

(b) the terms and conditions for loan guarantees provided under the pilot program, consistent with Subsection (3); and

(c) procedures for the pilot program's loan guarantee process.

(5) The executive director shall submit a report on the pilot program to the Business and Labor Interim Committee on or before November 30, 2023.

Section 13. Section **35A-8-505** is amended to read:

35A-8-505. Activities authorized to receive fund money -- Powers of the executive director.

At the direction of the board, the executive director may:

(1) provide fund money to any of the following activities:

(a) the acquisition, rehabilitation, or new construction of low-income housing units;

(b) matching funds for social services projects directly related to providing housing for special-need renters in assisted projects;

(c) the development and construction of accessible housing designed for low-income persons;

(d) the construction or improvement of a shelter or transitional housing facility that provides services intended to prevent or minimize homelessness among members of a specific homeless subpopulation;

(e) the purchase of an existing facility to provide temporary or transitional housing for the homeless in an area that does not require rezoning before providing such temporary or transitional housing;

(f) the purchase of land that will be used as the site of low-income housing units;

(g) the preservation of existing affordable housing units for low-income persons; ~~[and]~~

(h) providing loan guarantees under the two-year pilot program established in Section

[35A-8-504.5](#); and

~~[(4)]~~ (i) other activities that will assist in minimizing homelessness or improving the availability or quality of housing in the state for low-income persons; and

(2) do any act necessary or convenient to the exercise of the powers granted by this part or reasonably implied from those granted powers, including:

(a) making or executing contracts and other instruments necessary or convenient for the performance of the executive director and board's duties and the exercise of the executive director and board's powers and functions under this part, including contracts or agreements for the servicing and originating of mortgage loans;

(b) procuring insurance against a loss in connection with property or other assets held by the fund, including mortgage loans, in amounts and from insurers it considers desirable;

(c) entering into agreements with a department, agency, or instrumentality of the United States or this state and with mortgagors and mortgage lenders for the purpose of planning and regulating and providing for the financing and refinancing, purchase, construction, reconstruction, rehabilitation, leasing, management, maintenance, operation, sale, or other disposition of residential housing undertaken with the assistance of the department under this part;

(d) proceeding with a foreclosure action, to own, lease, clear, reconstruct, rehabilitate, repair, maintain, manage, operate, assign, encumber, sell, or otherwise dispose of real or personal property obtained by the fund due to the default on a mortgage loan held by the fund in preparation for disposition of the property, taking assignments of leases and rentals, proceeding with foreclosure actions, and taking other actions necessary or incidental to the performance of its duties; and

(e) selling, at a public or private sale, with public bidding, a mortgage or other obligation held by the fund.

Section 14. Section **57-8a-209** is amended to read:

57-8a-209. Rental restrictions.

(1) (a) Subject to Subsections (1)(b), (5), ~~[and]~~ (6), and (10), an association may:

(i) create restrictions on the number and term of rentals in an association; or

(ii) prohibit rentals in the association.

(b) An association that creates a rental restriction or prohibition in accordance with

Subsection (1)(a) shall create the rental restriction or prohibition in a recorded declaration of covenants, conditions, and restrictions, or by amending the recorded declaration of covenants, conditions, and restrictions.

(2) If an association prohibits or imposes restrictions on the number and term of rentals, the restrictions shall include:

(a) a provision that requires the association to exempt from the rental restrictions the following lot owner and the lot owner's lot:

(i) a lot owner in the military for the period of the lot owner's deployment;

(ii) a lot occupied by a lot owner's parent, child, or sibling;

(iii) a lot owner whose employer has relocated the lot owner for two years or less;

(iv) a lot owned by an entity that is occupied by an individual who:

(A) has voting rights under the entity's organizing documents; and

(B) has a 25% or greater share of ownership, control, and right to profits and losses of the entity; or

(v) a lot owned by a trust or other entity created for estate planning purposes if the trust or other estate planning entity was created for:

(A) the estate of a current resident of the lot; or

(B) the parent, child, or sibling of the current resident of the lot;

(b) a provision that allows a lot owner who has a rental in the association before the time the rental restriction described in Subsection (1)(a) is recorded with the county recorder of the county in which the association is located to continue renting until:

(i) the lot owner occupies the lot;

(ii) an officer, owner, member, trustee, beneficiary, director, or person holding a similar position of ownership or control of an entity or trust that holds an ownership interest in the lot, occupies the lot; or

(iii) the lot is transferred; and

(c) a requirement that the association create, by rule or resolution, procedures to:

(i) determine and track the number of rentals and lots in the association subject to the provisions described in Subsections (2)(a) and (b); and

(ii) ensure consistent administration and enforcement of the rental restrictions.

(3) For purposes of Subsection (2)(b)(iii), a transfer occurs when one or more of the

following occur:

(a) the conveyance, sale, or other transfer of a lot by deed;

(b) the granting of a life estate in the lot; or

(c) if the lot is owned by a limited liability company, corporation, partnership, or other business entity, the sale or transfer of more than 75% of the business entity's share, stock, membership interests, or partnership interests in a 12-month period.

(4) This section does not limit or affect residency age requirements for an association that complies with the requirements of the Housing for Older Persons Act, 42 U.S.C. Sec. 3607.

(5) A declaration of covenants, conditions, and restrictions or amendments to the declaration of covenants, conditions, and restrictions recorded before the transfer of the first lot from the initial declarant may prohibit or restrict rentals without providing for the exceptions, provisions, and procedures required under Subsection (2).

(6) (a) Subsections (1) through (5) do not apply to:

(i) an association that contains a time period unit as defined in Section 57-8-3;

(ii) any other form of timeshare interest as defined in Section 57-19-2; or

(iii) subject to Subsection (6)(b), an association that is formed before May 12, 2009, unless, on or after May 12, 2015, the association:

(A) adopts a rental restriction or prohibition; or

(B) amends an existing rental restriction or prohibition.

(b) An association that adopts a rental restriction or amends an existing rental restriction or prohibition before May 9, 2017, is not required to include the exemption described in Subsection (2)(a)(iv).

(7) Notwithstanding this section, an association may restrict or prohibit rentals without an exception described in Subsection (2) if:

(a) the restriction or prohibition receives unanimous approval by all lot owners; and

(b) when the restriction or prohibition requires an amendment to the association's recorded declaration of covenants, conditions, and restrictions, the association fulfills all other requirements for amending the recorded declaration of covenants, conditions, and restrictions described in the association's governing documents.

(8) Except as provided in Subsection (9), an association may not require a lot owner

who owns a rental lot to:

- (a) obtain the association's approval of a prospective renter;
- (b) give the association:
 - (i) a copy of a rental application;
 - (ii) a copy of a renter's or prospective renter's credit information or credit report;
 - (iii) a copy of a renter's or prospective renter's background check; or
 - (iv) documentation to verify the renter's age; or
- (c) pay an additional assessment, fine, or fee because the lot is a rental lot.

(9) (a) A lot owner who owns a rental lot shall give an association the documents described in Subsection (8)(b) if the lot owner is required to provide the documents by court order or as part of discovery under the Utah Rules of Civil Procedure.

(b) If an association's declaration of covenants, conditions, and restrictions lawfully prohibits or restricts occupancy of the lots by a certain class of individuals, the association may require a lot owner who owns a rental lot to give the association the information described in Subsection (8)(b), if:

(i) the information helps the association determine whether the renter's occupancy of the lot complies with the association's declaration of covenants, conditions, and restrictions; and

(ii) the association uses the information to determine whether the renter's occupancy of the lot complies with the association's declaration of covenants, conditions, and restrictions.

(10) Notwithstanding Subsection (1)(a), an association may not restrict or prohibit the rental of an internal accessory dwelling unit, as defined in Section 10-9a-530, constructed within a lot owner's residential lot, if the internal accessory dwelling unit complies with all applicable:

- (a) land use ordinances;
- (b) building codes;
- (c) health codes; and
- (d) fire codes.

~~[(10)]~~ (11) The provisions of Subsections (8) ~~[and (9)]~~ through (10) apply to an association regardless of when the association is created.

Section 15. Section **57-8a-218** is amended to read:

57-8a-218. Equal treatment by rules required -- Limits on association rules and design criteria.

(1) (a) Except as provided in Subsection (1)(b), a rule shall treat similarly situated lot owners similarly.

(b) Notwithstanding Subsection (1)(a), a rule may:

(i) vary according to the level and type of service that the association provides to lot owners;

(ii) differ between residential and nonresidential uses; and

(iii) for a lot that an owner leases for a term of less than 30 days, impose a reasonable limit on the number of individuals who may use the common areas and facilities as guests of the lot tenant or lot owner.

(2) (a) If a lot owner owns a rental lot and is in compliance with the association's governing documents and any rule that the association adopts under Subsection (4), a rule may not treat the lot owner differently because the lot owner owns a rental lot.

(b) Notwithstanding Subsection (2)(a), a rule may:

(i) limit or prohibit a rental lot owner from using the common areas for purposes other than attending an association meeting or managing the rental lot;

(ii) if the rental lot owner retains the right to use the association's common areas, even occasionally:

(A) charge a rental lot owner a fee to use the common areas; or

(B) for a lot that an owner leases for a term of less than 30 days, impose a reasonable limit on the number of individuals who may use the common areas and facilities as guests of the lot tenant or lot owner; or

(iii) include a provision in the association's governing documents that:

(A) requires each tenant of a rental lot to abide by the terms of the governing documents; and

(B) holds the tenant and the rental lot owner jointly and severally liable for a violation of a provision of the governing documents.

(3) (a) A rule criterion may not abridge the rights of a lot owner to display religious and holiday signs, symbols, and decorations inside a dwelling on a lot.

(b) Notwithstanding Subsection (3)(a), the association may adopt time, place, and

934 manner restrictions with respect to displays visible from outside the dwelling or lot.

935 (4) (a) A rule may not regulate the content of political signs.

936 (b) Notwithstanding Subsection (4)(a):

937 (i) a rule may regulate the time, place, and manner of posting a political sign; and

938 (ii) an association design provision may establish design criteria for political signs.

939 (5) (a) A rule may not interfere with the freedom of a lot owner to determine the

940 composition of the lot owner's household.

941 (b) Notwithstanding Subsection (5)(a), an association may:

942 (i) require that all occupants of a dwelling be members of a single housekeeping unit;

943 or

944 (ii) limit the total number of occupants permitted in each residential dwelling on the

945 basis of the residential dwelling's:

946 (A) size and facilities; and

947 (B) fair use of the common areas.

948 (6) (a) A rule may not interfere with an activity of a lot owner within the confines of a

949 dwelling or lot, to the extent that the activity is in compliance with local laws and ordinances.

950 (b) Notwithstanding Subsection (6)(a), a rule may prohibit an activity within a dwelling

951 on an owner's lot if the activity:

952 (i) is not normally associated with a project restricted to residential use; or

953 (ii) (A) creates monetary costs for the association or other lot owners;

954 (B) creates a danger to the health or safety of occupants of other lots;

955 (C) generates excessive noise or traffic;

956 (D) creates unsightly conditions visible from outside the dwelling;

957 (E) creates an unreasonable source of annoyance to persons outside the lot; or

958 (F) if there are attached dwellings, creates the potential for smoke to enter another lot

959 owner's dwelling, the common areas, or limited common areas.

960 (c) If permitted by law, an association may adopt rules described in Subsection (6)(b)

961 that affect the use of or behavior inside the dwelling.

962 (7) (a) A rule may not, to the detriment of a lot owner and over the lot owner's written

963 objection to the board, alter the allocation of financial burdens among the various lots.

964 (b) Notwithstanding Subsection (7)(a), an association may:

- 965 (i) change the common areas available to a lot owner;
- 966 (ii) adopt generally applicable rules for the use of common areas; or
- 967 (iii) deny use privileges to a lot owner who:
- 968 (A) is delinquent in paying assessments;
- 969 (B) abuses the common areas; or
- 970 (C) violates the governing documents.
- 971 (c) This Subsection (7) does not permit a rule that:
- 972 (i) alters the method of levying assessments; or
- 973 (ii) increases the amount of assessments as provided in the declaration.
- 974 (8) (a) Subject to Subsection (8)(b), a rule may not:
- 975 (i) prohibit the transfer of a lot; or
- 976 (ii) require the consent of the association or board to transfer a lot.
- 977 (b) Unless contrary to a declaration, a rule may require a minimum lease term.
- 978 (9) (a) A rule may not require a lot owner to dispose of personal property that was in or
- 979 on a lot before the adoption of the rule or design criteria if the personal property was in
- 980 compliance with all rules and other governing documents previously in force.
- 981 (b) The exemption in Subsection (9)(a):
- 982 (i) applies during the period of the lot owner's ownership of the lot; and
- 983 (ii) does not apply to a subsequent lot owner who takes title to the lot after adoption of
- 984 the rule described in Subsection (9)(a).
- 985 (10) A rule or action by the association or action by the board may not unreasonably
- 986 impede a declarant's ability to satisfy existing development financing for community
- 987 improvements and right to develop:
- 988 (a) the project; or
- 989 (b) other properties in the vicinity of the project.
- 990 (11) A rule or association or board action may not interfere with:
- 991 (a) the use or operation of an amenity that the association does not own or control; or
- 992 (b) the exercise of a right associated with an easement.
- 993 (12) A rule may not divest a lot owner of the right to proceed in accordance with a
- 994 completed application for design review, or to proceed in accordance with another approval
- 995 process, under the terms of the governing documents in existence at the time the completed

application was submitted by the owner for review.

(13) Unless otherwise provided in the declaration, an association may by rule:

(a) regulate the use, maintenance, repair, replacement, and modification of common areas;

(b) impose and receive any payment, fee, or charge for:

(i) the use, rental, or operation of the common areas, except limited common areas; and

(ii) a service provided to a lot owner;

(c) impose a charge for a late payment of an assessment; or

(d) provide for the indemnification of the association's officers and board consistent with Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act.

(14) (a) Except as provided in Subsection (14)(b), a rule may not prohibit the owner of a residential lot from constructing an internal accessory dwelling unit, as defined in Section 10-9a-530, within the owner's residential lot.

(b) Subsection (14)(a) does not apply if the construction would violate:

(i) a local land use ordinance;

(ii) a building code;

(iii) a health code; or

(iv) a fire code.

~~[(14)]~~ (15) A rule shall be reasonable.

~~[(15)]~~ (16) A declaration, or an amendment to a declaration, may vary any of the requirements of Subsections (1) through (13), except Subsection (1)(b)(ii).

~~[(16)]~~ (17) A rule may not be inconsistent with a provision of the association's declaration, bylaws, or articles of incorporation.

~~[(17)]~~ (18) This section applies to an association regardless of when the association is created.

Section 16. **Effective date.**

(1) Except as provided in Subsection (2), this bill takes effect on May 5, 2021.

(2) The actions affecting the following sections take effect on October 1, 2021:

(a) Section 10-9a-530;

(b) Section 17-27a-526;

(c) Section 57-8a-209; and

1027

(d) Section [57-8a-218](#).

City Council Staff Report

Subject: Payday Condominiums Amended Plat
Application: PL-20-04725
Author: Brendan Conboy, Senior Planner
Date: April 28, 2021
Type of Item: Administrative –Plat Amendment



Summary Recommendations

Staff recommends the Planning Commission continue the item to May 12, 2021.

Description

Applicant: Susan Philipp (HOA)
Location: 1660 & 1700 Three Kings
Zoning District: Residential Development (RD)
Reason for Review: Plat Amendments require Planning Commission review and recommendation and City Council review and action

Planning Commission Staff Report



Subject: Gasparac Plat Amendment
Application: PL-21-04793
Author: Spencer Cawley
Date: April 28, 2021
Type of Item: Administrative – Plat Amendment

Recommendation

Staff recommends the Planning Commission review the Gasparac Plat Amendment, hold a public hearing, and consider forwarding a positive recommendation for City Council's consideration on May 13, 2021, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Ordinance (Exhibit A).

Description

Applicant: CJG Development III, LLC, represented by Marshall King, Alliance Engineering
Location: 1060 Park Avenue
Zoning District: Historic Residential – Medium Density
Adjacent Land Uses: Single-Family Dwelling; Multi-Unit Dwellings
Reason for Review: Plat amendments require Planning Commission recommendation and City Council action¹

Acronyms

HRM Historic Residential – Medium Density
HSI Historic Sites Inventory
LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Summary

The applicant proposes subdividing a 12,868-square-foot metes and bounds parcel in the Historic Residential – Medium Density Zoning District (HRM) into a 7,839-square-foot Lot containing a Significant Historic Structure and a 5,029-square-foot Lot.

Background

The subject property located at 1060 Park Avenue is a Significant Historic Single-Family Dwelling with a detached garage at the easternmost corner of the property in the Historic Residential – Medium Density (HRM) Zoning District. It occupies Lots 9, 10, 11, and 12 of Block 55 of Snyders Addition; also that part of the E1/2 of Block 55 Snyders Addition Easterly from Lots 9, 10, 11, and 12.

¹ LMC [§ 15-7.1-2\(B\)](#).

The existing Structure was built around 1946. The property was designated as a Significant Site on the Park City Historic Sites Inventory (HSI) in 2009 (Exhibit E).



Figure 1--1060 Park Avenue Looking Northwesterly (Source: Google Maps)

The Applicant proposes a two (2) Lot subdivision by placing a Lot Line five feet (5') to the south of the existing Single-Family Dwelling. The proposed Plat Amendment creates Lot A, measuring 7,839 square feet and Lot B, measuring 5,029 square feet. The Applicant indicates Lot B is set aside for the purpose of constructing a future Single-Family Dwelling (Exhibit A). No easement is vacated or amended as a result of the Subdivision.

See table below for the Site's past related Applications.

Date	Application Type	Description	Action Taken
August 1, 2000	Determination of Historical Significance	Determination of Historical Significance 1060 Park Avenue	Applicant Withdrew on September 8, 2000
April 16, 2019	Determination of Significance	Applicant proposed to remove the Significant Site from Historic Sites Inventory.	City Council Denied
December 7, 2020	Historic District Design Review Pre-Application	Applicant has questions regarding density and the historic nature of Structure's exterior.	Under Review

January 19, 2021	Historic District Design Review Pre-Application	Applicant interested in the subdivision of property into two (2) Lots as well as construction and condition of existing Structure on site.	Under Review
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Analysis

Plat Amendments require Planning Commission review and City Council Final Action.² A Subdivision containing not more than three Lots fronting an existing Street, not involving any new Street or road, or the extension of municipal facilities, or the creation of public improvements, is a Minor Subdivision and does not require a Preliminary Plat.³

(I) The proposed Subdivision complies with the Historic Residential – Medium Density (HRM) Zoning District requirements.

The purpose of the Historic Residential – Medium Density (HRM) Zoning District is to encourage new Development that is compatible with the surrounding area,⁴ encourage the rehabilitation of existing Historic Structures,⁵ and to encourage Development that provides a transition in Use and scale between the Historic District and resort Development.⁶ Single-Family Dwellings are an Allowed Use in the HRM Zoning District.⁷

The table below outlines the HRM Zoning District Lot Requirements:⁸

HRM Zoning Requirement	Analysis of Proposal
Minimum Lot Size	Lot A: 7,839 sq feet.
A. Single-Family Dwelling: 1,875 sq. ft.	Lot B: 5,029 sq. feet.
B. Duplex Dwelling: 3,750 sq. ft.	
C. Triplex Dwelling: 4,687 sq. ft.	Lot A and Lot B comply with Single-Family, Duplex, and Triplex Dwellings.
D. Four-plex Dwelling: 5,625 sq. ft.	Lot A complies with Four-Plex Dwellings.
Minimum Lot Width: 37.50 feet	Lot A: 60.34 feet.

² LMC [§ 15-12-15\(B\)\(9\).](#)

³ LMC [§ 15-7.1-3\(A\).](#)

⁴ LMC [§ 15-2.4-1\(B\).](#)

⁵ LMC [§ 15-2.4-1\(C\).](#)

⁶ LMC [§ 15-2.4-1\(D\).](#)

⁷ LMC [§ 15-2.4-2 \(A\)\(1\).](#)

⁸ LMC [§ 15-2.4-3.](#)

	Lot B: 39.59 feet. <i>Complies</i>
Front Setback: fifteen feet (15') for Lot depths greater than 75 feet	Lot A depth: North boundary 131.35 ft South boundary 128.10 ft Significant Historic Structure exceeds the required Setback at 19 feet. Lot B depth: North boundary 128.10 ft. South boundary 125.98 ft Condition of Approval 8 and 9. New construction will need to comply.
Rear Setback: ten feet (10')	Lot A: Significant Historic Structure exceeds the required Setback at 72 feet. Lot B: Condition of Approval 8 and 9. New construction will need to comply.
Side Setback: five feet (5')	Lot A: Significant Historic Structure meets the Setback at five feet. Lot B: Condition of Approval 8 and 9. New construction will need to comply.
Building Height: 27 feet from Existing Grade	Lot A: Significant Historic Structure complies. Lot B: Condition of Approval 8 and 9. New construction will need to comply.
Maximum Building Footprint	There is no maximum Building Footprint Requirement in the HRM Zoning District. Future development of Lot B must meet the required Setbacks, Building Height, and parking.

Architectural Review LMC [§ 15-2.4-12](#)

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance. Any changes to the existing structure on Lot A and/or development of Lot B must maintain all requirements of the HRM Zoning District, as well as the *Design Guidelines for Historic Districts and Historic Sites* found in LMC [Chapter 15-13](#) (Condition of approval 8 and 9).

Restrictions on Fencing Materials LMC [§ 15-4-2\(B\)](#)

Chain link Fences are prohibited in all zones. Condition of Approval 10 requires the Applicant to remove the existing chain link Fence Prior to recordation of Plat.

Accessory Buildings

An Accessory Building is an Allowed Use in the HRM Zoning District.⁹ The existing site conditions survey shows that a principal Building and an Accessory Building are on the subject property (Exhibit B). With this Plat amendment, Lot lines are altered and will separate these two structures.

- The LMC defines Private Garage as an Accessory Building, or a portion of the Main Building, used for the storage of motor vehicles for the tenants or occupants of the Main Building and not by the general public.
- The LMC defines Accessory Building as a Building on the same Lot as the principal Building. It is incidental to, and customarily found in connection with the principal Building, such as detached garages. The Accessory Building is operated and maintained for the benefit of the principal Use, and not a Dwelling Unit.¹⁰

Without an existing principal Building on Lot B, the Accessory Building is no longer an accessory. Therefore, Condition of Approval 11 requires the Applicant to demolish the Accessory Building Prior to plat recordation.

(II) Staff finds Good Cause for the subdivision because (A) the Historic Character of the Historic Residential Medium Zoning District is retained, (B) no Public Street or Right-of-Way is vacated or amended, and (C) no easement has been vacated or amended.

Plat amendments shall be reviewed according to LMC [§ 15-7.1-6](#) *Final Subdivision Plat* and approval shall require a finding of Good Cause and a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.

Land Management Code [§ 15-15-1](#) defines Good Cause as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”

A. The Historic Residential Medium Zoning District Historic Character is retained.

The purpose of the Historic Residential-Medium Zoning District in part is to encourage new Development along an important corridor that is Compatible with Historic Buildings

⁹ LMC [§ 15-2.4-2](#).

¹⁰ LMC [§ 15-15-1](#).

and/or Structures in the surrounding area and to encourage the rehabilitation of existing Historic Structures.¹¹

This subdivision creates two smaller Lots like other Single-Family Dwelling Lots north on Park Avenue (see Figure 2).



Figure 2--Source: Summit County Parcel Viewer

B. No Public Street or Right-of-Way is vacated or amended.

Both Lots are accessed by Park Avenue and the plat amendment does not vacate or amend any portion of Park Avenue.

C. No easement is vacated or amended.

(III) The Development Review Committee requires a Condition of Approval.

On April 6, 2021, the Development Review Committee Reviewed the Plat Amendment. The Snyderville Basin Water Reclamation District (SBWRD) requires the applicant (1) insert the Easement legal description into the SBWRD Grant of Easement form, (2) have the document signed and notarized by the landowner, (3) Return the document to SBRWD for recordation, and (4) insert the recording information on the plat after recordation of Easement. Condition of Approval 3.

¹¹ LMC [§ 15-2.4-1](#).

Department Review

The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on April 12, 2021. Staff mailed courtesy notice to property owners within 300 feet on April 14, 2021. The *Park Record* published notice on April 14, 2021. LMC [§ 15-1-21](#).

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the 1060 Park Avenue Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 1060 Park Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 1060 Park Avenue Plat Amendment to a date certain.

Exhibits

Exhibit A: Draft Ordinance and Proposed Plat

Exhibit B: Existing Conditions

Exhibit C: Site Photos

Exhibit D: Applicant Submittal

Exhibit E: Historic Sites Inventory

Exhibit F: Snyderville Basin Water Reclamation District Letter to Applicant

Exhibit G: Sanitary Sewer Easement – March 23, 2021

Exhibit H: 1060 Park Avenue Sewer Easement Legal Description

Ordinance No. 2021-XX

AN ORDINANCE APPROVING THE GASPARAC PLAT AMENDMENT, LOCATED AT 1060 PARK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 1060 Park Avenue petitioned the City Council for approval of the Gasparac Plat Amendment; and

WHEREAS, on April 14, 2021 notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on April 12, 2021, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on April 14, 2021, courtesy notice was mailed to property owners within 300 feet of the Gasparac Plat Amendment; and

WHEREAS, on April 28, 2021, the Planning Commission reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, on April 28, 2021, the Planning Commission forwarded a _____ recommendation for City Council's consideration on May 13, 2021; and

WHEREAS, on May 13, 2021, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the plat is consistent with the Park City Land Management Code, including §15-7.1-3(B), § 15-12-15(B)(9), and Chapters 15-2.11, 15-3 and 15-7.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah, as follows:

SECTION 1. APPROVAL. The Gasparac Plat Amendment at 1060 Park Avenue, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

Background:

1. The property is located at 1060 Park Avenue.
2. The property is listed with Summit County as Parcel number AS-357 and consists of Lots 9, 10, 11, and 12 in Block 55 of Snyders Addition; Also that part of the E1/2 of Block 55 Snyders Addition Easterly from Lots 9, 10, 11, and 12. The proposed Plat Amendment creates two (2) Lots of record.
3. On March 26, 2021, the Applicant submitted a complete Plat Amendment application.
4. The applicant proposes adding a Lot line five feet (5') to the south of the existing

Structure and Subdividing the 12,868 square foot Metes and Bounds in the Historic Residential – Medium District into Lot A, a 7,839 square foot Lot containing a Significant Historic Structure, and Lot B, a 5,029 square foot Lot.

5. The property was designated as a Significant Historical Structure on the Park City Historic Site Inventory (HSI) in 2009.
6. No easement is vacated or amended as a result of the plat amendment.

Zoning District:

7. The property is in the Historic Residential - Medium (HRM) Zoning District.

Public Notice Requirements:

8. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on April 12, 2021. Staff mailed courtesy notice to property owners within 300 feet on April 14, 2021. The *Park Record* published notice on April 14, 2021.

Lot and Site Requirements

9. The LMC also regulates Lot and Site Requirements per LMC [§15-2.4-3](#).
10. A Single-Family Dwelling is an allowed Use in the HRM Zoning District and requires a minimum lot size of 1,875 square feet. The proposed Lot sizes comply with this requirement.
11. The minimum Lot width in the HRM Zoning District is 37.5 feet. The proposed Lots comply with this requirement.
12. The required Front Setback for Lot depths greater than 75 feet is fifteen feet (15'). Lot A is Legal Non-Conforming, as is. Lot B will come into compliance with new construction.
13. The required Rear Setback is ten feet (10'). Lot A is Legal Non-Conforming, as is. Lot B will come into compliance with new construction.
14. The required Side Setback is five feet (5'). Lot A is Legal Non-Conforming, as is. Lot B will come into compliance with new construction.
15. There is no maximum building footprint requirement in the HRM Zoning District. Any new construction shall comply with the Land Management Code at the time of Application submittal.
16. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law

1. There is Good Cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code, including [LMC § 15-2.4](#) Historic Residential-Medium Zoning District and [LMC § 15-7.1-6](#) Final Subdivision Plat.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The applicant shall insert the easement legal description into Snyderville Water Reclamation District (SBWRD) Grant of Easement form, signed and notarized by landowner, and returned to SBWRD for recordation.
4. After the easement is recorded, applicant shall insert the recording information on the plat.
5. The plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
6. A non-exclusive ten foot (10') public snow storage easement on Park Avenue shall be dedicated on the plat.
7. Any new construction shall comply with the Land Management Code at the time of Application submittal.
8. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
9. Any new construction shall comply with the Land Management Code at the time of Application submittal.
10. Prior to recordation of plat, the chain link Fence shall be removed.
11. Prior to recordation of plat, the Accessory Building shall be demolished.

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

PASSED AND ADOPTED this 13th Day of May, 2021.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

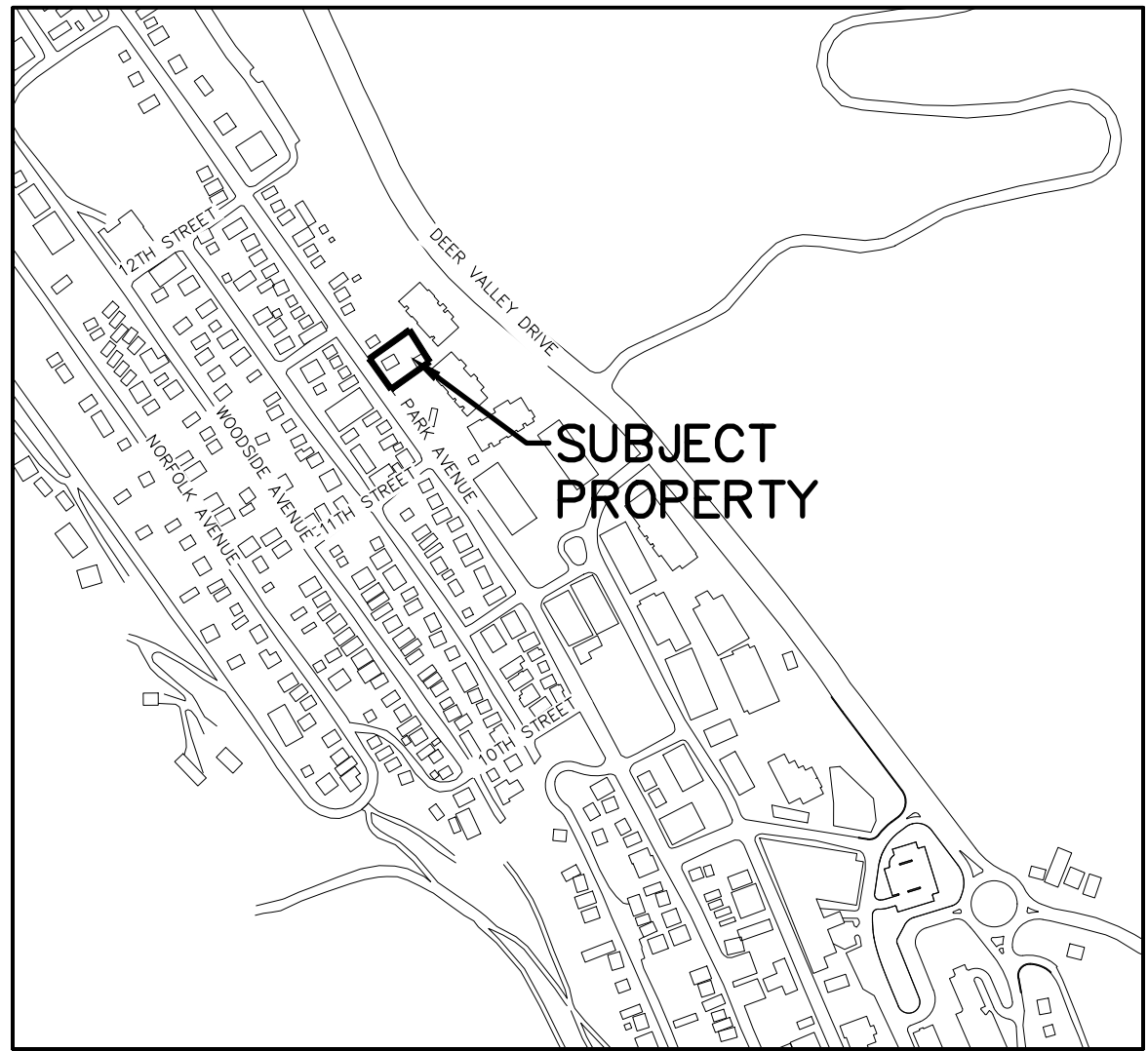
ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 - Plat



VICINITY MAP

SCALE 1"=500'

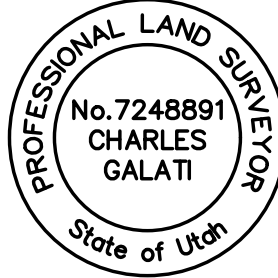
FOUND BRASS CAP
IN METAL CASTING
PI 11TH STREET/PARK AVENUE

FOUND & ACCEPTED
PLUG/REBAR IN CONCRETE

SUNSHINE SKI HOME
PLAT AMENDMENT
ENTRY NO. 1101664

FOUND & ACCEPTED
REBAR & CAP
"CAE 154491"

TOWN POINTE
FIRST AMENDED
ENTRY NO. 608052



SURVEYORS CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 7248891 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the land shown on this plat and described hereon, and have combined said land into two (2) lots, hereafter to be known as GASPARAC PLAT AMENDMENT and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

Lots 9, 10, 11 & 12, Blk 55 Snyders Addition; also that part of the E1/2 of Blk 55 Snyders Addition easterly from Lots 9, 10, 11 & 12 according to the official plat thereof as recorded in the Summit County Recorder Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be subdivided into two lots of record, together with easements as set forth to be hereafter known as GASPERAC PLAT AMENDMENT and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owner also hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over any public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this ____ day of _____, 2021.

CJG Development III, LLC, a Utah limited liability company

By: _____
Christopher J. Goff, Manager

ACKNOWLEDGMENT

STATE OF _____)

: ss.

COUNTY OF _____)

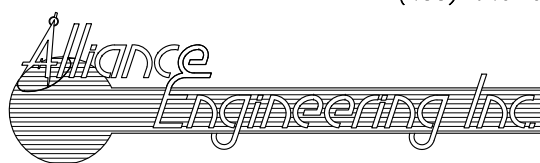
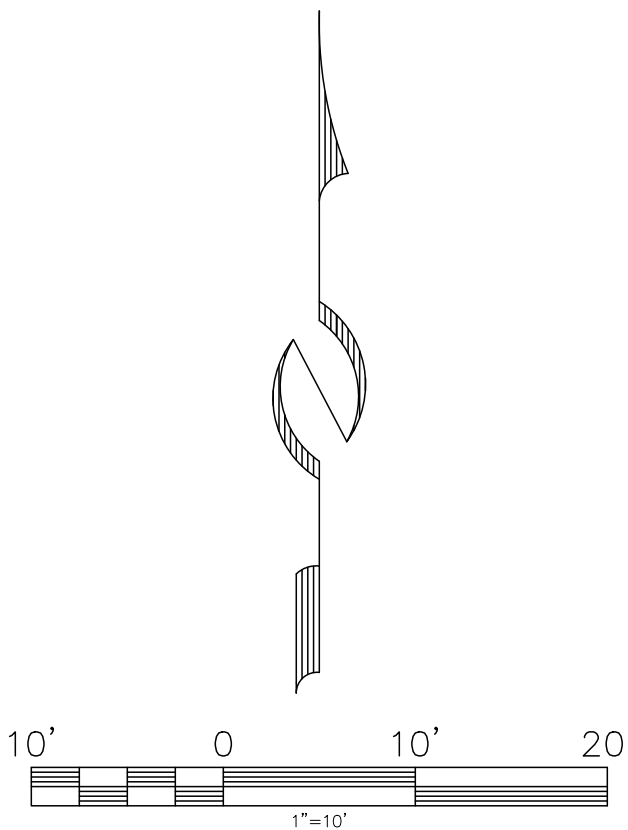
On this ____ day of _____, 2021, Christopher J. Goff personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of CJG DEVELOPMENT III, LLC, a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed the GASPARAC PLAT AMENDMENT.

By: _____
Notary Public

Printed Name _____
Residing in: _____
My commission expires: _____
Commission No. _____

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2021-_____.
2. See Record of Survey S-9753.
3. The property is located in Zone AO, as shown on the Flood Insurance Rate Map at the Federal Emergency Management Agency, Panel 919, Map Number 49043C0 919C, updated by LOMR 16-08-1092P, and has an effective date of August 31, 2017.



(435) 649-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

GASPARAC PLAT AMENDMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

3/23/21 JOB NO.: 11-1-21 FILE: X:\SnydersAddition\dwg\sr\plat2021\110121.dwg

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	PUBLIC SAFETY ANSWERING POINT APPROVAL	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2021	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2021	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2021	APPROVED AS TO FORM THIS _____ DAY OF _____, 2021	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2021	I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2021	APPROVED THIS _____ DAY OF _____, 2021	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
BY _____ ENGINEERING DEPARTMENT	BY _____ CHAIR	BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ MAYOR	BY _____ PARK CITY RECORDER	BY _____ SUMMIT COUNTY GIS COORDINATOR	_____ FEE _____ RECORDER TIME _____ DATE _____ ENTRY NO. _____

1060 PARK AVE

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
LOTS 9 THRU 12, AND A PORTION
OF THE EAST HALF OF BLOCK 55
SNYDER'S ADDITION TO PARK CITY
RECORD OF SURVEY-EXISTING CONDITIONS
SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

LEGAL DESCRIPTION

LOTS 9,10,11,&12, BLK 55 SNYDERS ADDITION; ALSO THAT PART OF THE E1/2 OF BLK 55 SNYDERS ADDITION EASTERLY FROM LOTS 9,10,11&12 According to the Official Plat thereof as recorded in the Summit County Recorder office.

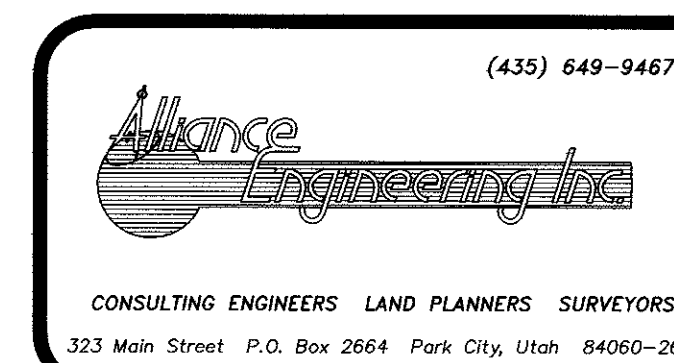
NOTES

1. Basis of Bearing for this survey is between the found street monuments as shown on this plat.
2. Field work for this survey was completed March 26, 2019, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to perform a Boundary, Existing Conditions and Topography survey for the possibility of future improvements to the property.
4. A Title Report was not provided to the surveyor and only easements that this surveyor was aware of and had on file were located as part of this survey. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
5. County tax maps, recorded deeds, First Amended Plat Town Pointe Condominiums Entry No. 608052, Sunshine Ski Home Plat Amendment Entry No. 1101664, Records of Survey No.'s S-6279, S-6499, S-6752 and S-9326 (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were used to determine the boundary as shown on this plat.
6. Site Benchmark: Sanitary Sewer Manhole, Elevation=6948.0' as shown.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were found as shown.
9. Snow coverage at the time of the survey was approximately 1-2'. As a result, monuments, improvements, and/or conditions may exist which are not shown on this survey.
10. Record bearings and distances, when different than measured, are in parenthesis. ()

LEGEND

- Found Monument (As-Noted)
- Found Street Monument (As-Noted)

10' 0 10' 20'



STAFF:
CHARLES GALATI
RYAN BETZ
JASON WYNE
CHIP TOMSUDEN
TOM LUND

DATE: 3/29/19

EXISTING CONDITIONS & TOPOGRAPHIC MAP
1060 PARK AVENUE

FOR: ELLIOTT WORKGROUP
JOB NO.: 5-3-19

FILE: X:\SnydersAddition\dwg\sr\sr\2019\050319-1060 Park Ave\050319-1060 Park Ave.dwg

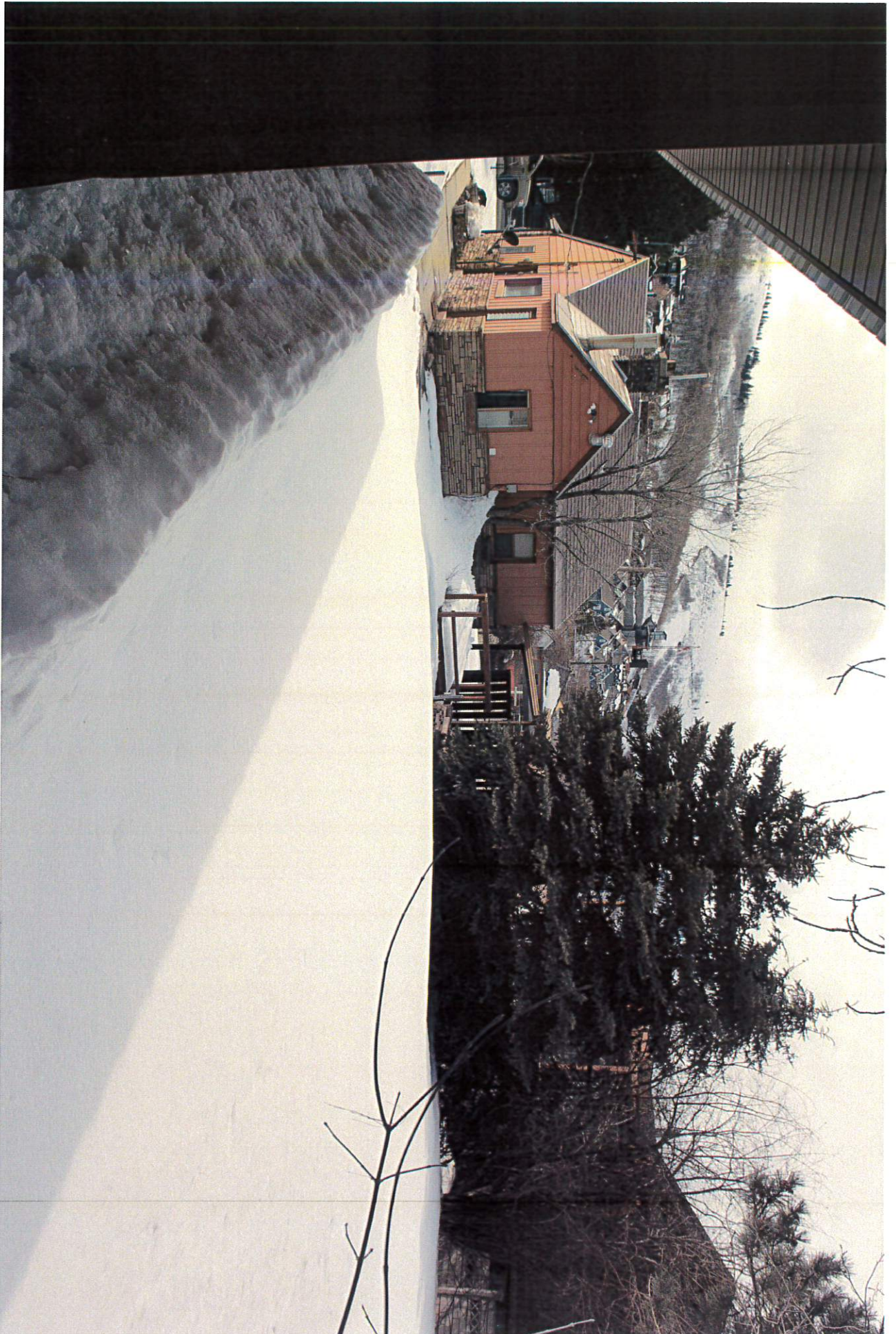
SHEET
1
OF
1



1060 Park Avenue looking northeasterly



1060 Park Avenue looking easterly



1060 Park Avenue looking westerly



1060 Park Avenue looking southwesterly



1060 Park Avenue looking northeasterly

SNYDER'S ADDITION TO PARK CITY SURVEY, BLOCK 55,
LOTS 9, 10, 11, 12 PLUS ADDITIONAL LAND

(1060 PARK AVENUE)

PROJECT INTENT

The property at 1060 Park Avenue consists of four typical 25' x 75' Old Town lots in Snyder's Addition to Park City Survey and an unlotted parcel to the northeast within Block 55 adjacent to the four lots. The property is currently occupied by a single family residence with a detached garage at the easternmost corner of the property. The owner of the property is proposing to renovate the existing historic house and construct an addition in the rear. The owner is also proposing to place a lot line 5 feet to the south of the existing residence to create another lot of record where a single family residence would be constructed.

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property:

Address: 1060 PARK AVE

AKA:

City, County: Park City, Summit County, Utah

Tax Number: SA-357

Current Owner Name: GASPARAC GEORGE & MARY

Parent Parcel(s):

Current Owner Address: PO BOX 829, PARK CITY, UT 84060-0829

Legal Description (include acreage): SUBD: SA BLOCK: 56 PLAT: 0S 16 T 2S R 4E LOTS 9-10-11& 12 BLK 55 SNYDERS ADDITIONALSO THAT PART OF TH E 1/2 OF BLK 55 SNYDERS ADDITION E'LY FROM LOTS9-10-11-12 SUBJECT TO EASEMENT; 0.32 AC

2 STATUS/USE

Property Category

- ☒ building(s), main
- ☐ building(s), attached
- ☐ building(s), detached
- ☐ building(s), public
- ☒ building(s), accessory
- ☐ structure(s)

Evaluation*

- ☐ Landmark Site
- ☒ Significant Site
- ☐ Not Historic

Reconstruction

- Date:
- Permit #:
- ☐ Full ☐ Partial

Use

Original Use: Residential
Current Use: Residential

*National Register of Historic Places: ☒ ineligible ☐ eligible
☐ listed (date:)

3 DOCUMENTATION

Photos: Dates

- ☐ tax photo:
- ☒ prints:
- ☐ historic: c.

Drawings and Plans

- ☐ measured floor plans
- ☐ site sketch map
- ☐ Historic American Bldg. Survey
- ☐ original plans:
- ☐ other:

Research Sources (check all sources consulted, whether useful or not)

- ☐ abstract of title
- ☐ tax card
- ☐ original building permit
- ☐ sewer permit
- ☒ Sanborn Maps
- ☐ obituary index
- ☐ city directories/gazetteers
- ☐ census records
- ☐ biographical encyclopedias
- ☐ newspapers
- ☒ city/county histories
- ☐ personal interviews
- ☐ Utah Hist. Research Center
- ☐ USHS Preservation Files
- ☐ USHS Architects File
- ☐ LDS Family History Library
- ☐ Park City Hist. Soc/Museum
- ☐ university library(ies):
- ☐ other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah:

University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: WW-II Era Cottage

No. Stories: 1

Additions: ☒ none ☐ minor ☐ major (describe below) Alterations: ☐ none ☒ minor ☐ major (describe below)

Number of associated outbuildings and/or structures: ☐ accessory building(s), # ____; ☐ structure(s), # ____.

General Condition of Exterior Materials:

Researcher/Organization: Preservation Solutions/Park City Municipal Corporation Date: November, 08

- ☒ Good (Well maintained with no serious problems apparent.)
- ☐ Fair (Some problems are apparent. Describe the problems.):
- ☐ Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- ☐ Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Site: Two accessory structures.

Foundation: Concrete.

Walls: Board & batten siding, stone veneer, aluminum/vinyl siding.

Roof: Cross-wing roof form sheathed in asphalt shingle.

Windows: Casement.

Improvements: Garage-Frame: 625 SF Typical Quality; Tool Shed: 160 SF Typical Quality

Essential Historical Form: ☒ Retains ☐ Does Not Retain, due to:

Location: ☒ Original Location ☐ Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The one-story frame WW II-era cottage appears to have been altered with the application of stone veneer, board & batten siding and aluminum siding. It is not clear how much, if any, of the original materials are extant. Additional research should be conducted to determine complete information about the design history of the site. Without additional information, it is not possible to substantiate eligibility for National Register listing.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting is atypical for most Park City mining era homes in Old Town; the site has large side and rear yards.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The physical evidence from the period that defines this as a typical Park City post-mining era house are the simple methods of construction, the plan type, the simple roof form, the informal landscaping, the restrained ornamentation, and the plain finishes.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of life in a western mining town of the mid-twentieth century.

Association (Describe the link between the important historic era or person and the property.): the WW II-era cottage is a common house type constructed in Utah during the mid-20th century, but it appears that modifications were made to the house that diminish the site's association with the past.

The lack of information on the site render it ineligible for listing in the National Register of Historic Places. If additional information is reviewed, the site should be re-evaluated for a confirmation of the current other designation. The site retains its essential historical form and meets the criteria set forth in LMC Chapter 15-11 for designation as a Significant Site.

5 SIGNIFICANCE

Architect: ☒ Not Known ☐ Known: (source:)

Date of Construction: c. 1946¹

¹ Summit County Recorder.

Builder: ☒ Not Known ☐ Known: (source:)

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

- ☐ Settlement & Mining Boom Era (1868-1893)
- ☐ Mature Mining Era (1894-1930)
- ☒ Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries. However, by the mid-twentieth century, most mines in Park City had closed, the population had dwindled, and building activity nearly ceased. Though the few houses built during this period generally reflect the types and styles used in communities throughout Utah, they were constructed in a way that reinforces the settlement patterns of Park City's significant mining era. They are both modest in scale and tightly packed on the hillsides, contributing to the overall character of the community.

2. Persons (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. Architecture (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: West elevation (primary façade). Camera facing east, 2006.

Photo No. 2: West elevation (primary façade). Camera facing east, 1995.







SNYDERVILLE BASIN

WATER RECLAMATION DISTRICT

2800 HOMESTEAD RD, PARK CITY, UT 84098

WWW.SBWRD.ORG

T 435-649-7993

F 435-649-8040

March 26, 2021

Marshall King
Alliance Engineering
323 Main St.
P.O. Box 2664
Park City, UT 84060

RE: Gasparac Plat Amendment
Plat Review

Dear Mr. King:

The Snyderville Basin Water Reclamation District has reviewed the referenced plat and has the following comments:

1. The submitted easement legal description and exhibit are acceptable. Insert the legal description into the attached SBWRD Grant of Easement form and have the document signed and notarized by the landowner. Return the document to SBWRD for recordation.
2. After the easement is recorded, insert the recording information on the plat.

Please contact Kevin Berkley with any questions.

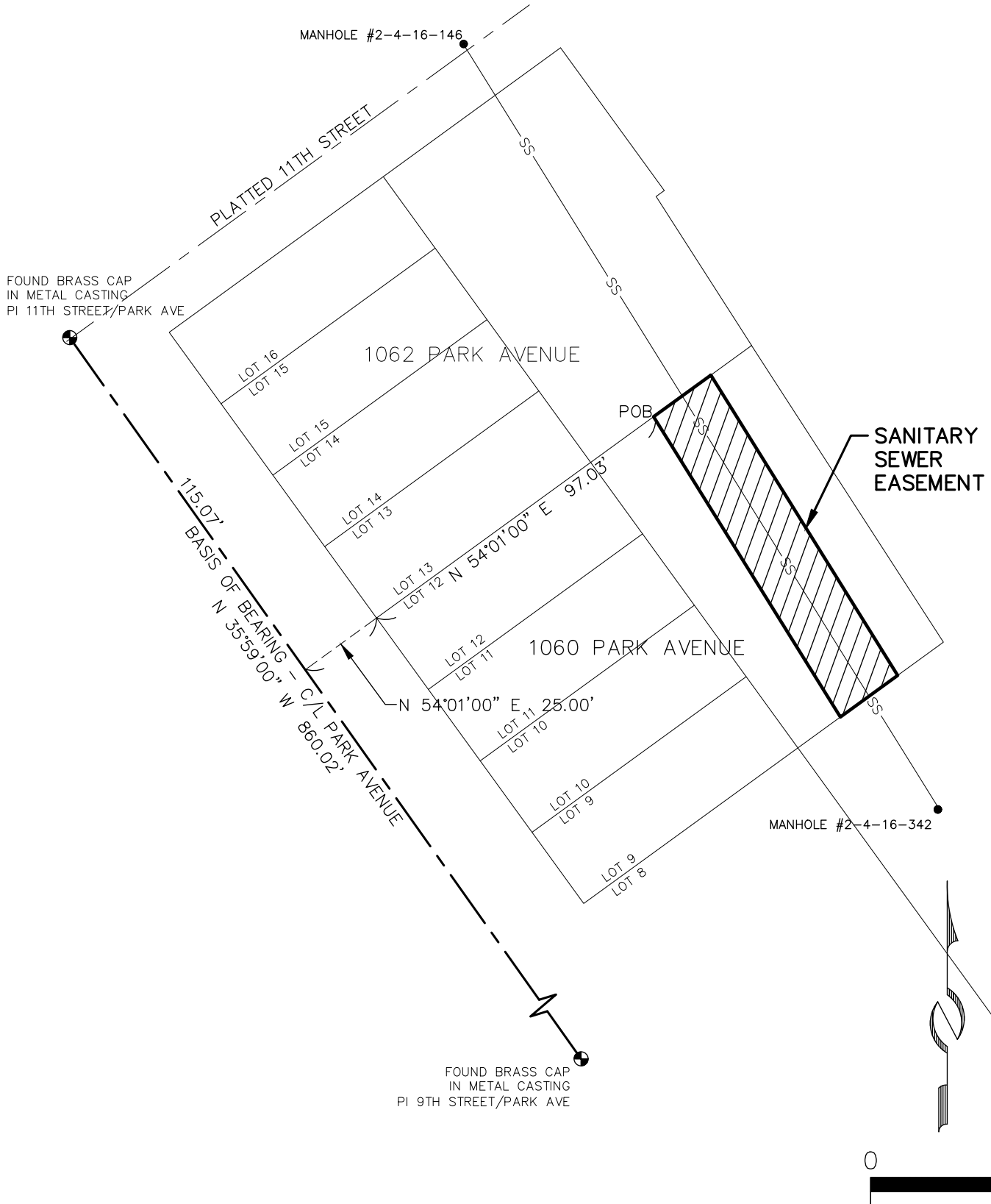
Sincerely,

Bryan D. Atwood, P.E.
District Engineer

Attachment

cc: Plat Review File

SANITARY SEWER EASEMENT BLOCK 55, SNYDER'S ADDITION MARCH 23, 2021



3/23/21

X: \SnydersAddition\dwg\ParcelExhibits\043-1060 park sewer esmt.dwg

LEGAL DESCRIPTION

1060 PARK AVENUE SEWER EASEMENT LOTS 9-12, BLOCK 55, SNYDER'S ADDITION TO PARK CITY SURVEY & ADDITIONAL LAND

March 23, 2021

An easement located in the northeast quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement being described as follows:

Beginning at a point that is North 54°01'00" East 97.03 feet from the westernmost corner of Lot 12, Block 55, Snyder's Addition to Park City Survey; and running thence North 54°01'00" East 20.05 feet; thence South 31°53'47" East 100.18 feet, more or less, to the boundary of Town Pointe Condominiums First Amended Plat, recorded January 10, 2002, as Entry No. 608052 in the Office of the Recorder, Summit County, Utah; thence coincident with the boundary of said Town Pointe Condominiums South 54°01'00" West 20.05 feet; thence North 31°53'47" West 100.18 feet, more or less, to the point of beginning.

The Basis of Bearing for the above description is North 35°59'00" West 860.02 feet between found street monuments at the intersection of Park Avenue/9th Street and Park Avenue/11th Street.

Description contains 2,004 square feet.

X:\SnydersAddition\Docs\Desc\043-1060 park sewer esmt.docx

Planning Commission Staff Report



Subject: 1125 & 1129 Park Avenue
Application: PL-21-04797
Author: Rebecca Ward
Date: April 28, 2021
Type of Item: Administrative – Plat Amendment

Recommendation

(1) Review the Jupiter Moons Plat Amendment for 1125 & 1129 Park Avenue; (2) conduct a public hearing; and (3) consider forwarding a positive recommendation for City Council's consideration on May 13, 2021.

Description

Applicant: Jupiter Moons, LLC
Location: 1125 & 1129 Park Avenue
Zoning District: Historic Residential – 1
Adjacent Land Uses: Residential
Reason for Review: Plat amendments require Planning Commission review and recommendation to City Council for final action¹

Acronyms

HPB Historic Preservation Board
HR – 1 Historic Residential – 1
LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

Summary

1125 and 1129 Park Avenue are described by metes and bounds and include Lots extending from Park Avenue to Woodside Avenue. The Applicant proposes the creation of three Lots: subdividing 1125 Park Avenue, a 5,462-square-foot metes and bounds parcel in the Historic Residential – 1 Zoning District, into a 2,875-square-foot Lot and a 2,587-square-foot Lot and amending the Lot Line between 1125 and 1129 Park Avenue (Exhibit A, Attachment 1).

Background

1125 Park Avenue is a one-story cross-wing Single-Family Dwelling constructed in 1901 and is designated a Landmark Historic Structure on the Historic Sites Inventory (Exhibit B).² 1129 Park Avenue is a one-story hall-parlor Single-Family Dwelling constructed sometime between 1895 and 1901 and is designated a Significant Historic Structure on

¹ LMC [§ 15-12-15\(A\)](#).

² LMC [§ 15-11-10\(D\)\(1\)\(eh\)](#).

the Historic Sites Inventory (Exhibit C).³ 1129 Park Avenue was constructed across Lot lines and encroaches into the 1125 Park Avenue Lot.

In the 1920s, a rear addition to 1125 Park Avenue was constructed adjacent to the encroaching home at 1129 Park Avenue, shown in the image below:



1125 (left) & 1129 (right) Park Avenue looking southerly

In addition to creating three Lots, the Jupiter Moons Plat Amendment adjusts the property line between 1125 and 1129 Park Avenue to resolve the 1129 Park Avenue encroachment and to accommodate the Building Footprint of the adjoining Historic Structures.

The Applicant submitted a Historic District Design Review application for both properties and proposes rehabilitating 1129 Park Avenue and building a Duplex with a new unit accessed by Woodside Avenue (proposed Lot A) and remodeling 1125 Park Avenue and adding new construction (proposed Lot B). The plat amendment also creates a new Single-Family Lot accessed from Woodside Avenue (proposed Lot C) (Exhibit D).

³ LMC [§ 15-11-10\(D\)\(2\)\(ej\)](#).

Analysis

(I) The proposal complies with the Historic Residential – 1 Zoning District requirements.

The purpose of the Historic Residential – 1 (HR – 1) Zoning District is in part to encourage the preservation of Historic Structures, encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods, and encourage Single-Family Development on combinations of 25' x 75' Historic Lots.⁴

Single-Family Dwellings are an Allowed Use and Duplex Dwellings are a Conditional Use in the HR – 1 Zoning District.⁵

The Lot requirements for the HR – 1 Zoning District are outlined in the table below:

HR – 1 Requirement	Proposal
Minimum Lot Area is 3,750 square feet for Duplex Lots and 1,875 square feet for Single-Family Lots	Complies Lot A contains 4,669.50 square feet and may accommodate a Duplex, subject to Conditional Use Permit approval Lot B contains 2,875.80 square feet Lot C contains 2,587.50 square feet
Minimum Lot width is 25 feet	Complies Lot A – 24 feet wide In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director. ⁶ Please see Section II regarding the Planning Director's determination. Lot B – 36.70 feet wide Lot C – 37.50 feet wide
The Building Pad, Building Footprint, and Height define the maximum Building envelope within which Development must occur	Condition of Approval 6 Historic Structures that do not comply with Building Footprints, Height, and Setbacks are valid Non-Complying Structures. The Building envelope for all new construction must comply with Building Pad, Building Footprint, and Height. ⁷

⁴ LMC [§ 15-2.2-1](#).

⁵ LMC [§ 15-2.2-2\(A\)\(1\) and \(B\)\(1\)](#).

⁶ LMC [§ 15-2.2-3\(B\)](#).

⁷ LMC [§ 15-2.2-4](#).

The maximum Building Footprint is calculated based on the following formula: $\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$	Condition of Approval 7 Lot A – 1,804 square feet Lot B – 1,223 square feet Lot C – 1,119 square feet
Front and Rear Setbacks for Lots with a depth up to 75 feet are 10 feet Front and Rear Setbacks for Lots with a depth of 27 – 100 feet are 12 to 13 feet, for a total of 25 feet Front and Rear Setbacks for Lots over 100 feet are 15 feet	Complies Historic Structures that do not comply with Setbacks are valid Non-Complying Structures. Additions must comply with Setbacks.⁸ Please see Section III below for additional Conditions of Approval recommended due to the unique shared wall between the two Historic Structures. Lot A (Lot depth is 150 feet) – Front and Rear Setbacks for new construction are 15 feet Lot B (Lot depth is 81 feet) – Front and Rear Setbacks for new construction will be 12 and 13 feet, for a total of 25 feet Lot C (Lot depth is 69 feet) – Front and Rear Setbacks are 10 feet
Side Setbacks for Lots up to 25 feet wide are three feet Side Setbacks for Lots up to 37.50 feet wide are three feet	Complies Historic Structures that do not comply with Setbacks are valid Non-Complying Structures. Additions must comply with Setbacks.⁹ Side Setbacks for new construction must comply with the following: Lot A (24 feet wide) – three feet Lot B (36.70 feet wide) – three feet Lot C (37.50 feet wide) – three feet
Building Height shall not exceed 27 feet from Existing Grade	Condition of Approval 8 New construction must comply with Height regulations.
Snow Release	Condition of Approval 9 Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

⁸ LMC [§ 15-2.2-4](#).

⁹ LMC [§ 15-2.2-4](#).

(II) The Planning Director determined the Lot A width is appropriate because it will allow for the rehabilitation of two Historic Structures while preserving the unique Building Footprint of the Historic Structures.

The required Lot width in the HR-1 Zoning District is 25 feet, measured 15 feet from the front Lot line.¹⁰ In the case of unusual Lot configurations, the Planning Director determines Lot width measurements.¹¹

The Applicant's Existing Conditions submission (Exhibit E) shows the location of the Significant Historic Structure, 1129 Park Avenue, and the Landmark Historic Structure, 1125 Park Avenue, in the context of the existing Lots in black and the proposed Lot A and Lot B, outlined in blue. The Building Footprint of 1129 Park Avenue currently encroaches into the 1125 Park Avenue Lot.

Lot A is currently 23 feet wide measured 15 feet from the front Lot line. Proposed Lot A is 24 feet wide measured 15 feet from the front Lot line and does not meet the HR-1 Zoning District 25-foot Lot width requirement. (See the Existing Conditions excerpt below – staff added measurements in red).

Staff added the orange line below to illustrate where the Lot line would fall between the Historic Structures if Lot A were required to be 25 feet in width. The Lot line would cut into the Building Footprint of the Landmark Historic Structure at 1125 Park Avenue. The proposed Plat creates a unique Lot line between Lot A and Lot B to preserve the Building Footprints of both 1125 and 1129 Park Avenue, shown in blue.



¹⁰ LMC [§ 15-2.2-3\(B\)](#).

¹¹ *Id.*

On April 19, 2021, pursuant to LMC [§ 15-2.2-3\(B\)](#), the Planning Director determined that the 24-foot width for Lot A is appropriate because it allows for the creation of two separate Lots for the rehabilitation of the Historic Structures and preserves the unique Building Footprints of the Historic Structures.

(III) The Applicant shall record a party wall agreement if the Historic Preservation Board requires preservation of the 1125 Park Avenue 1920s addition that creates a common wall between the properties.

On November 4, 2020, the Historic Preservation Board conducted a work session to discuss 1125 Park Avenue, including the 1920s addition that abuts 1129 Park Avenue ([Staff Report](#); [Minutes](#), p. 26). The Historic Preservation Board may determine that the 1920s addition contributes to the Historic Integrity of the Historic Structure, or the Historic Preservation Board may approve removal of the 1920s addition.

LMC [§ 15-2.2-3\(l\)\(2\)](#) allows for no Side Setback between connected Structures “where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning Districts.” Condition of Approval 10 requires the Applicant to record a party wall agreement prior to plat recordation with Summit County if the Historic Preservation Board requires preservation of the 1125 Park Avenue 1920s addition.

(IV) The Development Review Committee requires additional Conditions of Approval to comply with the Building Code.

The Building Department requires the following four Building Code standards to retain the common wall between the properties:

- (1) Both Historic Structures must be fire sprinklered,
- (2) The walls less than three feet to the Lot line must be built as a one-hour rated assembly,
- (3) The projections within two feet of the Lot line need to be one-hour rated on the underside, and
- (4) No windows or doors are allowed in the walls that are within two feet of the Lot line.

These requirements are reflected in Condition of Approval 11.

(V) There is Good Cause for the Plat amendment.

Plat amendments shall be reviewed according to Section 15-7.1-6 *Final Subdivision Plat* and approval shall require (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.¹²

¹² LMC [§ 15-7.1-3\(B\)](#).

(a) There is Good Cause for this Plat amendment because it resolves existing encroachments and allows for the rehabilitation of two Historic Structures while preserving the unique Historic Building Footprints.

The Land Management Code defines Good Cause as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City Community.”¹³

1129 Park Avenue was constructed sometime between 1895 and 1901 and encroaches into the 1125 Park Avenue Lot. The proposed Plat amendment resolves this encroachment and creates two Lots that retain the unique Building Footprints of the Historic Structures, preserving the Historic character of the HR-1 Zoning District.

(b) No Public Street, Right-of-Way, or easement is vacated or amended.

Park Avenue and Woodside Avenue are not impacted by this Plat Amendment. Condition of Approval 12 requires the Applicant to submit verification to the Planning Department that no easement is vacated or amended by this Plat amendment prior to recordation of the plat with Summit County.

Department Review

The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.

Notice

Staff published notice on the City’s website and the Utah Public Notice website on April 12, 2021. Staff mailed courtesy notice to property owners within 300 feet and posted notice to the properties on April 12, 2021. The *Park Record* published notice on April 14, 2021. LMC [§ 15-1-21](#).

Public Input

Staff did not receive any public input at the time this report was published.

Exhibits

Exhibit A: Draft Ordinance

Attachment 1 – Proposed Jupiter Moons Plat Amendment

Exhibit B: 1125 Park Avenue Historic Sites Inventory Form

Exhibit C: 1129 Park Avenue Historic Sites Inventory Form

¹³ LMC [§ 15-15-1](#).

Exhibit D: Applicant Statement
Exhibit E: Existing Conditions
Exhibit F: Photographs

Ordinance No. 2021-XX

AN ORDINANCE APPROVING THE JUPITER MOONS PLAT AMENDMENT, LOCATED AT 1125 AND 1129 PARK AVENUE AND 1126 AND 1128 WOODSIDE AVENUE, PARK CITY, UTAH

WHEREAS, the owners of property located at 1125 and 1129 Park Avenue petitioned the City Council for approval of the Jupiter Moons Plat Amendment; and

WHEREAS, on April 12, 2021, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on April 12, 2021, staff mailed courtesy notice to property owners within 300 feet of the property; and

WHEREAS, on April 14, 2021, the *Park Record* published notice and City staff published notice on the City and Utah Public Notice websites; and

WHEREAS, on April 28, 2021, the Planning Commission reviewed the proposed plat amendment, held a public hearing, and forwarded a _____ recommendation to the City Council; and

WHEREAS, on May 13, 2021, the City Council reviewed the Jupiter Moons Plat Amendment and held a public hearing; and

WHEREAS, the Jupiter Moons Plat Amendment is consistent with the Park City Land Management Code, including § 15-7.1-3(B), § 15-7.1-6, and Chapters 15-2.2 and 15-7.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah, as follows:

SECTION 1. APPROVAL. The Jupiter Moons Plat Amendment is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. 1125 and 1129 Park Avenue are described by metes and bounds and include Lots extending from Park Avenue to Woodside Avenue.
2. The Applicant proposes the creation of three Lots: subdividing 1125 Park Avenue, a 5,462-square-foot metes and bounds parcel in the Historic Residential – 1 Zoning District, into a 2,875-square-foot Lot and a 2,587-square-foot Lot and amending the Lot Line between 1125 and 1129 Park Avenue.
3. 1125 Park Avenue is a one-story cross-wing Single-Family Dwelling constructed in 1901 and is designated a Landmark Historic Structure on the Historic Sites Inventory.
4. 1129 Park Avenue is a one-story hall-parlor Single-Family Dwelling constructed

sometime between 1895 and 1901 and is designated a Significant Historic Structure on the Historic Sites Inventory.

5. 1129 Park Avenue was constructed across Lot lines and encroaches into the 1125 Park Avenue Lot.
6. In the 1920s, a rear addition to 1125 Park Avenue was constructed adjacent to the encroaching home at 1129 Park Avenue. The properties share a common wall.
7. In addition to creating three Lots, this Plat Amendment adjusts the property line between 1125 and 1129 Park Avenue to resolve the 1129 Park Avenue encroachment and to accommodate the Building Footprint of the adjoining Historic Structures.
8. The proposal complies with the Historic Residential – 1 Zoning District requirements.
9. The purpose of the Historic Residential – 1 (HR – 1) Zoning District is in part to encourage the preservation of Historic Structures, encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods, and encourage Single-Family Development on combinations of 25' x 75' Historic Lots.
10. Single-Family Dwellings are an Allowed Use and Duplex Dwellings are a Conditional Use in the HR – 1 Zoning District.
11. Minimum Lot Area is 3,750 square feet for Duplex Lots and 1,875 square feet for Single-Family Lots.
12. Lot A contains 4,669.50 square feet and may accommodate a Duplex, subject to Conditional Use Permit approval; Lot B contains 2,875.80 square feet; and Lot C contains 2,587.50 square feet.
13. Minimum Lot width is 25 feet.
14. Lot A is currently 23 feet wide measured 15 feet from the front Lot line. Proposed Lot A is 24 feet wide measured 15 feet from the front Lot line and does not meet the HR-1 Zoning District 25-foot Lot width requirement. In the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director pursuant to LMC § 15-2.2-3(B).
15. On April 19, 2021, pursuant to LMC § 15-2.2-3(B), the Planning Director determined that the 24-foot width for Lot A is appropriate because it allows for the creation of two separate Lots for the rehabilitation of the Historic Structures and preserves the unique Building Footprints of the Historic Structures.
16. Lot B is 36.70 feet wide; Lot C is 37.50 feet wide.
17. The Building Pad, Building Footprint, and Height define the maximum Building envelope within which Development must occur.
18. Historic Structures that do not comply with Building Footprints, Height, and Setbacks are valid Non-Complying Structures.
19. The maximum Building Footprint is calculated based on the following formula:
$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$
20. The maximum Building Footprint for Lot A is 1,804 square feet; Lot B is 1,223 square feet; and Lot C is 1,119 square feet.

21. Front and Rear Setbacks for Lots with a depth up to 75 feet are 10 feet; Front and Rear Setbacks for Lots with a depth of 75 – 100 feet are 12 to 13 feet, for a total of 25 feet; Front and Rear Setbacks for Lots over 100 feet are 15 feet.
22. Historic Structures that do not comply with Setbacks are valid Non-Complying Structures. Additions must comply with Setbacks.
23. Lot A (Lot depth is 150 feet) – Front and Rear Setbacks for new construction are 15 feet.
24. Lot B (Lot depth is 81 feet) – Front and Rear Setbacks for new construction will be 12 and 13 feet, for a total of 25 feet.
25. Lot C (Lot depth is 69 feet) – Front and Rear Setbacks are 10 feet.
26. Side Setbacks for Lots up to 37.50 feet wide are three feet.
27. New construction shall comply with three-foot Side Setbacks on Lots A, B, and C.
28. Building Height shall not exceed 27 feet from Existing Grade.
29. On November 4, 2020, the Historic Preservation Board conducted a work session to discuss 1125 Park Avenue, including the 1920s addition that abuts 1129 Park Avenue. The Historic Preservation Board may determine that the 1920s addition contributes to the Historic Integrity of the Historic Structure, or the Historic Preservation Board may approve removal of the 1920s addition.
30. LMC § 15-2.2-3(1)(2) allows for no Side Setback between connected Structures “where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning Districts.” Condition of Approval 10 requires the Applicant to record a party wall agreement prior to plat recordation with Summit County if the Historic Preservation Board requires preservation of the 1125 Park Avenue 1920s addition.
31. Plat amendments shall be reviewed according to Section 15-7.1-6 *Final Subdivision Plat* and approval shall require (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.
32. No Public Street, Right-of-Way, or easement is vacated or amended.

Conclusions of Law

1. There is Good Cause for this Plat amendment because it resolves existing encroachments and allows for the rehabilitation of two Historic Structures while preserving the unique Historic Building Footprints.
2. The Plat Amendment is consistent with Land Management Code § 15-7.1-3(B), § 15-7.1-6, and Chapters 15-2.2 and 15-7.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the

final form and content of the plat for compliance with State law, the Land Management Code, and the Conditions of Approval, prior to recordation of the plat.

2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The Applicant shall dedicate a non-exclusive ten foot public snow storage easement on Park Avenue and Woodside Avenue.
4. The property is not located within the Park City Soil Ordinance Boundary and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal law.
5. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
6. The Building envelope for all new construction must comply with Building Pad, Building Footprint, and Height.
7. The maximum Building Footprint for Lot A is 1,804 square feet; Lot B is 1,223 square feet; Lot C is 1,119 square feet.
8. New construction must comply with Height regulations.
9. Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
10. The Applicant shall record a party wall agreement prior to plat recordation with Summit County if the Historic Preservation Board requires preservation of the 1125 Park Avenue 1920s addition.
11. To comply with the Building Code, the Building Department requires the following four standards to retain the common wall between the properties:
 - a. Both Historic Structures must be fire sprinklered.
 - b. The walls less than three feet to the Lot line must be built as a one-hour rated assembly.
 - c. The projections within two feet of the Lot line need to be one-hour rated on the underside.
 - d. No windows or doors are allowed in the walls that are within two feet of the Lot line.
12. The Applicant shall submit verification to the Planning Department that no easement is vacated or amended by this Plat amendment prior to recordation of the plat with Summit County.

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

PASSED AND ADOPTED this 13th Day of May, 2021.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that Wendy Jean Smith and Gordon Miller Saul, wife and husband as joint tenants, the owners of Parcel 1, hereby certify that they have caused this land to be subdivided into three lots, together with easements as set forth to be hereafter known as JUPITER MOONS PLAT AMENDMENT and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owners also hereby convey any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set her hand
this ____ day of _____, 2021.

In witness whereof, the undersigned set his hand
this ____ day of _____, 2021.

By: _____ By: _____
Wendy Jean Smith Gordon Miller Saul

ACKNOWLEDGMENT

STATE OF _____)

: ss.

COUNTY OF _____)

On this ____ day of _____, 2021, Wendy Jean Smith personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that he acknowledged to me that she executed the JUPITER MOONS PLAT AMENDMENT.

A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No: _____

ACKNOWLEDGMENT

State of _____)

: ss.

County of _____)

On this ____ day of _____, 2021, Gordon Miller Saul personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that he acknowledged to me that he executed the JUPITER MOONS PLAT AMENDMENT.

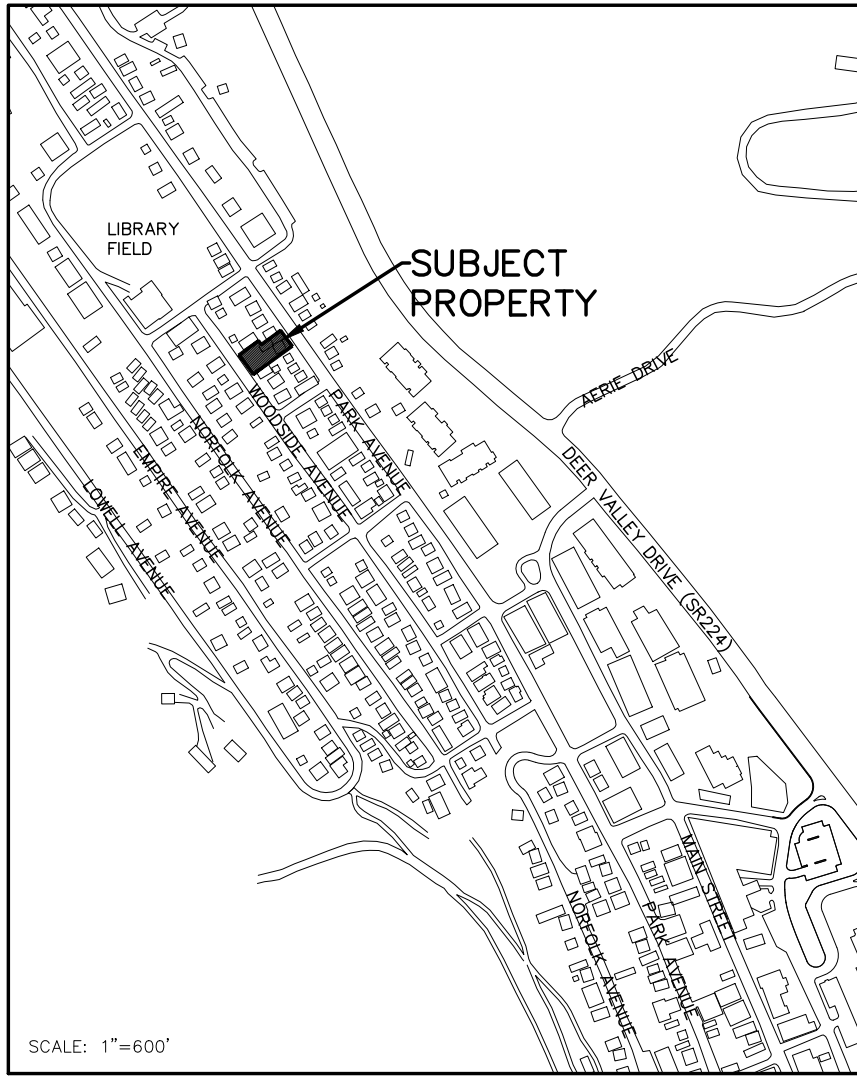
A Notary Public commissioned in _____

Printed Name _____

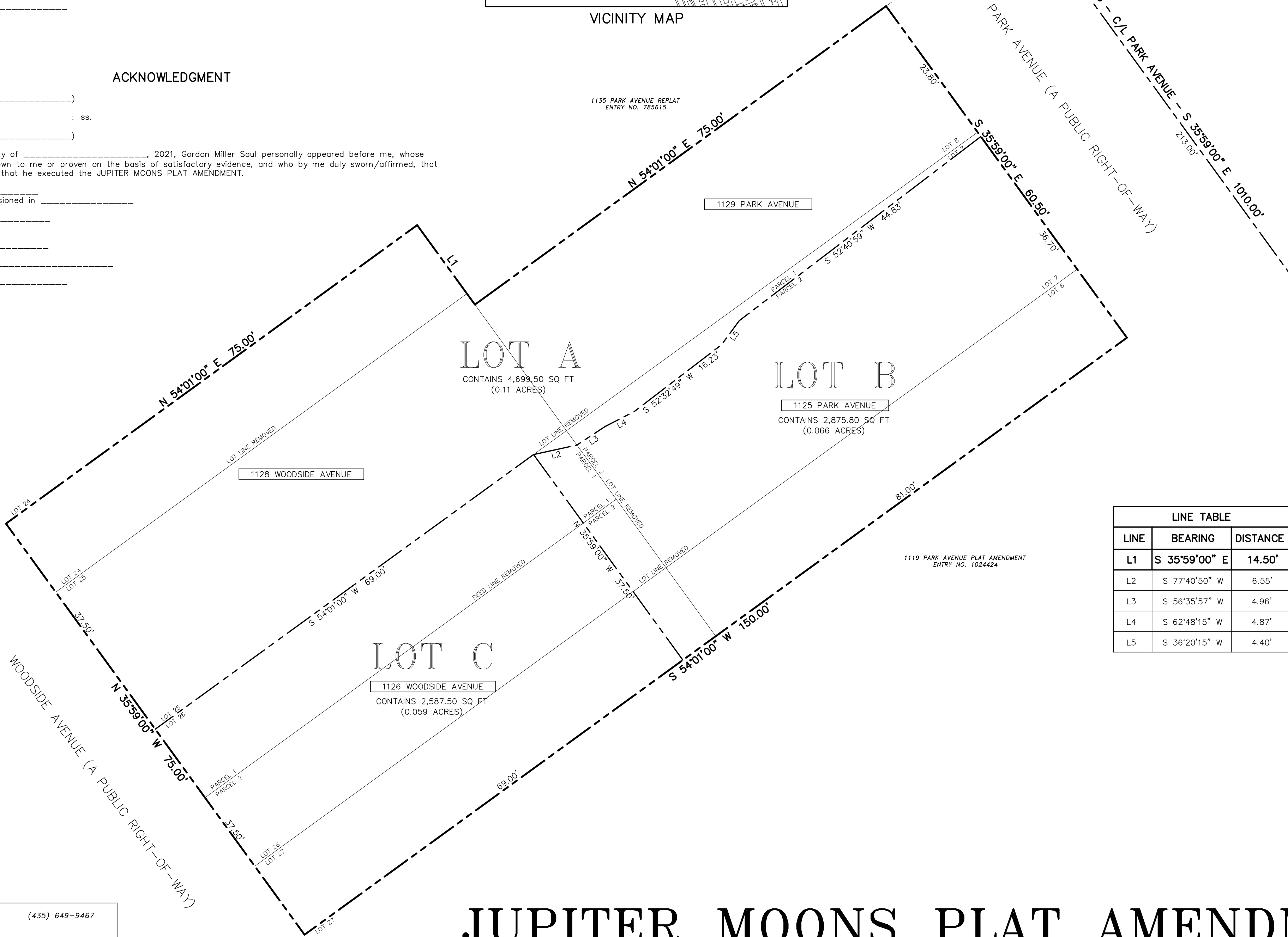
Residing in: _____

My commission expires: _____

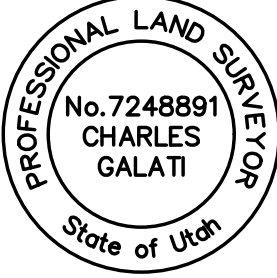
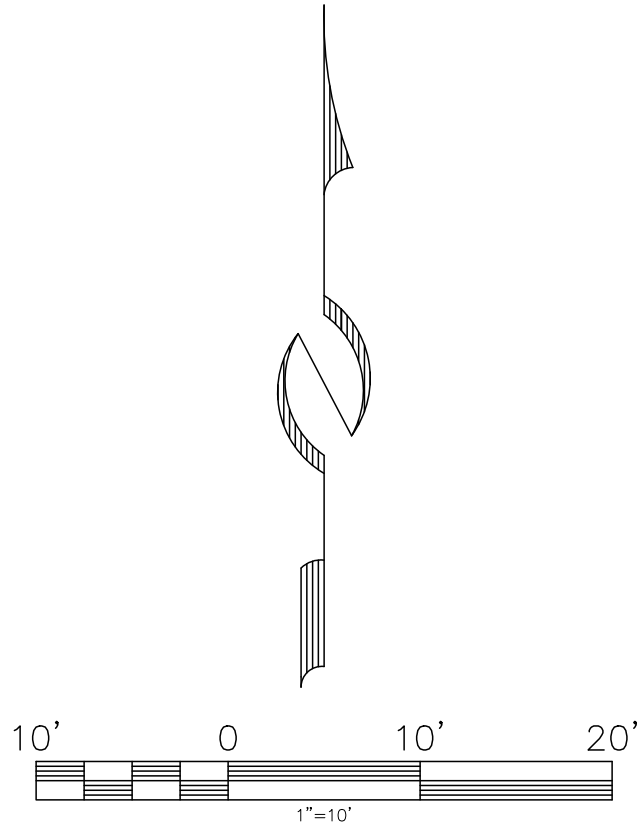
Commission No: _____



VICINITY MAP



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 35°59'00" E	14.50'
L2	S 77°40'50" W	6.55'
L3	S 56°35'57" W	4.96'
L4	S 62°48'15" W	4.87'
L5	S 36°20'15" W	4.40'



SURVEYORS CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 7248891 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the land shown on this plat and described hereon, and have combined said land into three (3) lots, hereafter to be known as JUPITER MOONS PLAT AMENDMENT and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTIONS

Parcel 1

Beginning at a point on a retaining wall, said point being 0.80 feet South 35°59'00" East along the block line from the Northerly most corner of Lot 7, Block 5, SNYDER'S ADDITION TO PARK CITY, according to the official plat thereof, on file and of record in the Office of the Summit County Recorder, said point also being 190.00 feet North 35°59'00" West along the monument line from a street monument at the intersection of 11th Street and Park Avenue and 25.00 feet South 54°01'00" West to said Northerly most corner of Lot 7, and 0.80 feet South 35°59'00" East to the point of beginning; and running thence South 52°40'59" West along said retaining wall 44.83 feet; thence South 36°20'15" West 4.40 feet to a corner of the existing house; thence South 52°32'49" West along said house line 16.23 feet; thence South 62°48'15" West 4.87 feet; thence South 56°35'57" West 4.96 feet; thence South 35°59'00" East 9.87 feet; thence South 54°01'00" West 75.00 feet; thence North 35°59'00" West 50.00 feet; thence North 54°01'00" East 75.00 feet; thence South 35°59'00" East 14.50 feet; thence North 54°01'00" East 75.00 feet to a point on the Southerly right-of-way line of Park Avenue; thence South 35°59'00" East 23.80 feet to the point of beginning.

Parcel 2

Beginning at a point on a retaining wall, said point being 0.80 feet South 35°59'00" East along the block line from the Northerly-most corner of Lot 7, Block 5, Snyder's Addition to Park City, according to the official plat thereof, on file and of record in the office of the Recorder, Summit County, said point also being 190.00 feet North 35°59'00" West along the monument line from a street monument at the intersection of 11th Street and Park Avenue and 25.00 feet South 54°01'00" West to said Northerly-most corner of Lot 7, and 0.80 feet South 35°59'00" East to the point of beginning; and running thence South 35°59'00" East 36.70 feet along said block line; thence South 54°01'00" West 150.00 feet to a point on the Southwesterly line of said block; thence North 35°59'00" West 25.00 feet; thence North 54°01'00" East 75.00 feet; thence North 35°59'00" West 9.87 feet; thence North 56°35'57" East 4.96 feet; thence North 62°48'15" East 4.87 feet to a house corner; thence North 52°32'49" East 16.23 feet along the building line to the front of the existing house to the West; thence North 36°20'15" East 4.40 feet to a point on said retaining wall; thence North 52°40'59" East 44.83 feet along said retaining wall to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of Parcel 2, and hereby causes this land to be subdivided into three lots, together with easements as set forth to be hereafter known as JUPITER MOONS PLAT AMENDMENT and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set her hand this ____ day of _____, 2021.

Jupiter Moons, LLC, a Utah limited liability company

By: _____
Wendy Smith, Manager

ACKNOWLEDGMENT

STATE OF _____)

: ss.

COUNTY OF _____)

On this ____ day of _____, 2021, Wendy Smith personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is the Manager of Jupiter Moons, LLC, a Utah limited liability company, and that said document was signed by her on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and she acknowledged to me that she executed the JUPITER MOONS PLAT AMENDMENT.

By: _____
Notary Public

Printed Name _____

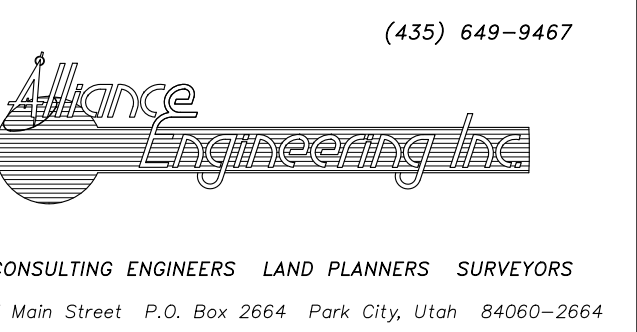
Residing in: _____

My commission expires: _____

Commission No. _____

NOTES

- This plat amendment is subject to the Conditions of Approval in Ordinance 2021-_____.
- The property is located in Zone X, 0.2% annual chance flood hazard, areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile, as shown on the Flood Insurance Rate Map on the Federal Emergency Management Agency, Panel 919, Map Number 49043C0919C, updated by LOMR 16-08-1092P, and has an effective date of August 31, 2017.



JUPITER MOONS PLAT AMENDMENT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

3/22/21 JOB NO.: 5-2-21 FILE: X:\SnydersAddition\dwg\sr\plat2021\050221.dwg

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2021
BY _____ ENGINEERING DEPARTMENT

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2021
BY _____ CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2021
BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ____ DAY OF _____, 2021
BY _____ PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2021
BY _____ MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 2021
BY _____ PARK CITY RECORDER

PUBLIC SAFETY
ANSWERING POINT APPROVAL
APPROVED THIS ____ DAY OF _____, 2021
BY _____ SUMMIT COUNTY GIS COORDINATOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
FEE _____ RECORDER
TIME _____ DATE _____ ENTRY NO. _____

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property:

Address: 1125 PARK AVE

AKA:

City, County: Park City, Summit County, Utah

Tax Number: SA-49

Current Owner Name: BUEHLER JOSEF

Parent Parcel(s):

Current Owner Address: 56 OGDEN CYN, OGDEN, UT 84401-0965

Legal Description (include acreage): SUBD: SA BLOCK: 5; 0.11 AC

2 STATUS/USE

Property Category

- ☒ building(s), main
- ☐ building(s), attached
- ☐ building(s), detached
- ☐ building(s), public
- ☐ building(s), accessory
- ☐ structure(s)

Evaluation*

- ☒ Landmark Site
- ☐ Significant Site
- ☐ Not Historic

Reconstruction

- Date:
- Permit #:
- ☐ Full ☐ Partial

Use

Original Use: Residential
Current Use: Residential

*National Register of Historic Places: ☐ ineligible ☒ eligible
☐ listed (date:)

3 DOCUMENTATION

Photos: Dates

- ☒ tax photo:
- ☒ prints:
- ☐ historic: c.

Drawings and Plans

- ☐ measured floor plans
- ☐ site sketch map
- ☐ Historic American Bldg. Survey
- ☐ original plans:
- ☐ other:

Research Sources (check all sources consulted, whether useful or not)

- ☐ abstract of title
- ☒ tax card
- ☐ original building permit
- ☐ sewer permit
- ☒ Sanborn Maps
- ☐ obituary index
- ☐ city directories/gazetteers
- ☐ census records
- ☐ biographical encyclopedias
- ☐ newspapers
- ☒ city/county histories
- ☐ personal interviews
- ☐ Utah Hist. Research Center
- ☐ USHS Preservation Files
- ☐ USHS Architects File
- ☐ LDS Family History Library
- ☐ Park City Hist. Soc/Museum
- ☐ university library(ies):
- ☐ other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: "L" cottage or "T" cottage

No. Stories: 1

Additions: ☒ none ☐ minor ☐ major (describe below) Alterations: ☐ none ☒ minor ☐ major (describe below)

Number of associated outbuildings and/or structures: ☐ accessory building(s), # ____; ☐ structure(s), # ____.

General Condition of Exterior Materials:

Researcher/Organization: Dina Blaes/Park City Municipal Corporation

Date: November, 08

- ☒ Good (Well maintained with no serious problems apparent.)
- ☐ Fair (Some problems are apparent. Describe the problems.):
- ☐ Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- ☐ Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Site: Wooden picket fence

Foundation: Not visible and therefore its materials cannot be verified

Walls: Drop-novelty wood siding and trim

Roof: Metal

Windows: Double hung with wood casings

Improvements: Tool Shed: 89 SF Fair Quality

Essential Historical Form: ☒ Retains ☐ Does Not Retain, due to:

Location: ☒ Original Location ☐ Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): Little alteration is evident to the form of this structure based on photographic evidences provided, other than roofing materials and paint color. The changes are minor and do not affect the site's historic character.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): Narrow building lot on fairly flat terrain. House is recessed roughly 15-20 feet from city roadway separated by a white picket fence directly abutting the property line. Prominent evergreen tree on the right of front elevation, and other grasses and shrubs cover the well-managed landscape.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The distinctive elements that define this as a typical Park City mining era house are the simple methods of construction, the use of non-beveled (drop-novelty) wood siding, the plan type, the simple roof form, the informal landscaping, the restrained ornamentation, and the plain finishes.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The "T" or "L" cottage (also known as a "cross-wing") is one of the earliest and one of the three most common house types built in Park City during the mining era.

5 SIGNIFICANCE

Architect: ☒ Not Known ☐ Known: (source:)

Date of Construction: c. 1901¹

Builder: ☒ Not Known ☐ Known: (source:)

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

¹ Summit County Recorder.

1. Historic Era:

- ☐ Settlement & Mining Boom Era (1868-1893)
- ☒ Mature Mining Era (1894-1930)
- ☐ Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.²

2. **Persons** (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. **Architecture** (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: East elevation (primary façade). Camera facing west, 2006.

Photo No. 2: East elevation (primary façade). Camera facing west, 1995

Photo No. 3: Southeast oblique. Camera facing northwest, tax photo.

² From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.

SERIAL NO.
RE-APPRAISAL CARD (1940 APPR. BASE)

Owner's Name _____

Owner's Address _____

Location _____

Kind of Building Res Street No. _____

Schedule 1 Class 3 Type 1-2-3-4 Cost \$ _____ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
<u>1</u>	<u>x</u> <u>x</u>		<u>825</u>	<u>\$ -</u>	<u>\$ 1725</u>
	<u>x</u> <u>x</u>			<u>\$</u>	<u>\$</u>
	<u>x</u> <u>x</u>			<u>\$</u>	<u>\$</u>

No. of Rooms 5 Condition _____

Description of Building	Add	Deduct
Foundation—Stone Conc. None ☒		<u>128</u>
Ext. Walls <u>Siding</u>		
Insulated—Floors Walls Clgs		
Roof—Type <u>Gob.</u> Mat. <u>Shg.</u>		
Dormers—Small Med. — Lg.		
Bays—Small Med. — Lg.		
Porches—Front <u>48"</u> @ <u>1.15</u>	<u>55</u>	
Rear @		
Cellar—Basm't— $\frac{1}{4}$ $\frac{1}{2}$ $\frac{3}{4}$ full-floor <u>Dirt</u>		
Basement Apts.—Rooms Fin.		
Attic Rooms Fin. — Unfin.		
Plumbing— Class <u>1</u> Tub <u>1</u> Trays Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u> Urns <u>1</u> Ftns. <u>1</u> Shr. Dishwasher Garbage Disp.	<u>350</u>	
Heat—Stove <u>H. A.</u> Steam <u>S.</u> Blr. Oil Gas Coal		
Air Conditioned Incinerators		
Radiant—Pipeless		
Finish— Hd. Wd. Floors <u>Hd. Wd.</u> Fir. <u>✓</u> <u>Conc.</u>		
Cabinets Mantels		
Tile— Walls Wainscot. Floors		
Lighting—Lamp Drops <u>✓</u> Fix.		
<u>Lbr. lined No. Studs—5 @ 35"</u>		<u>175</u>

Total Additions and Deductions 405 303 1725

Net Additions or Deductions -303 + 102

Age 48 Yrs. by ☒ Est. Owner ☒ Tenant ☒ Neighbors ☒ Records
 REPRODUCTION VALUE \$ 1827
 Depr. 1-2-3-4-5-6 61/39 % \$ 713
 Reproduction Val. Minus Depr. \$ 1114

Remodeled Est. Cost _____ Remodeling Inc. _____ %

Garage—S 8 C 2 Depr. (2%) 3% _____ Obsolescence _____

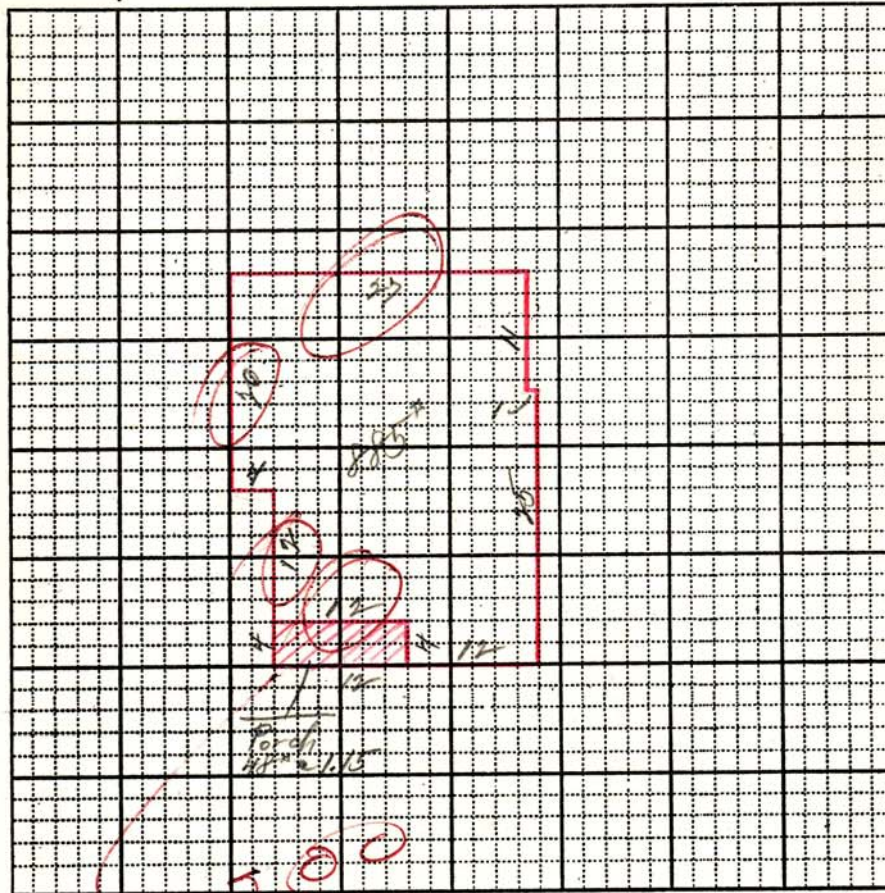
Cars 1 Walls Sid _____ Out Bldgs. _____

Roof Shg. Size 14 x 16 Age 28 _____

Floor Wood Cost 211/44 Depreciated Value Garage \$ 93

Remarks _____ Total Building Value \$ 806

Appraised 9/30/1949 By Chas. A. J.



OUT BUILDINGS	Age	Size	Area	Factor	Cost	Depr. Value
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				
		x				

Serial No. SA 49Location Block 5 SA. N $\frac{1}{2}$ Lot 6, All 7 - S $\frac{1}{2}$ 26 - N $\frac{1}{2}$ - 27 P.C.Kind of Bldg. RES St. No. _____Class 3 Type 1 2 3 4 Cost \$ _____ X 100 %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
1	x x		885		\$ 1770
	x x				
	x x				
Gar.—Carport — x — Flr. — Walls — Cl. —					

Description of Buildings			Additions
Foundation—	Stone — Conc. — None ☒		
Ext. Walls	<u>Siding</u>		
Insulation—	Floors — Walls — Cigs. —		
Roof Type	<u>Gab</u> Mtl. <u>Shng</u>		
Dormers—	Small — Med. — Large —		
Bays —	Small — Med. — Large —		
Porches—	Front <u>48</u> @ <u>100</u>	<u>48</u>	
Rear	— @ —		
Porch	— @ —		
Metal Awnings	— Mtl. Rail —		
Basement Entr.	— @ —		
Planters	— @ —		
Cellar—Bsmt. —	$\frac{1}{4}$ $\frac{1}{2}$ $\frac{3}{4}$ Full — Floor —		
Bsmt. Apt.	— Rooms Fin. — Unfin. —		
Attic Rooms	Fin. — Unfin. —		
Plumbing	Class <u>2</u> Tub — Trays —		
	Basin <u>1</u> Sink — Toilet —		
	Wtr. Sft. — Shr. St. — O.T. —		
	Dishwasher — Garbage Disp. —	<u>410</u>	
Built-in-Appliances			
Heat—	Stove ☒ H.A. — Steam — Stkr. — Blr. —		
	Oil ☒ Gas — Coal — Pipeless — Radiant —		
Air Cond.			
Finish—	Fir ☒ Hd. Wd. —		
Floor—	Fir ☒ Hd. Wd. — Other —		
Cabinets	<u>1</u> Mantels —		
Tile —	Walls — Wainseot — Floors —		
Storm Sash—	Wood D. — S. — ; Metal D. <u>1</u> S. —		
Total Additions			<u>458</u>

Year Built <u>57</u>	Avg. <u>57</u>	Current Value	\$ <u>2228</u>
	Age <u>57</u>	Commission Adj.	%
Inf. by { Owner - Tenant - Neighbor - Record - Est.		Bldg. Value	
		Depr. Col. 1 2 3 4 5 6 <u>30</u> %	
Remodel Year	Est. Cost	Current Value Minus Depr.	\$ <u>668</u>
Garage — Class <u>2</u>	Depr. 2% 3%	Carport — Factor	
Cars <u>1</u>	Floor <u>Wood</u> Walls <u>Sid</u> Roof <u>Shng</u> Doors <u>1</u>		
Size— <u>14</u> x <u>16</u>	Age <u>1921</u> Cost <u>211</u> x <u>30</u> %		<u>63</u>
Other			

Total Building Value

\$

Appraised 4-29-1958 By 1302 1332

SA 49
Serial Number

OF
Card Number

Owners Name Park City
Location Res St. No. 1125 Park Ave
Kind of Bldg. 3 Type 1 2 3 3 Cost \$ 3803 x 100 %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
1	x x	885		\$ 3803	\$
	x x				
	x x				

Att. Gar. — C.P. — x — Flr. — Walls — Cl. —

Description of Buildings Additions Additions

Foundation—Stone — Conc. — Sills —

Ext. Walls sidling

Roof Type gable Mtl. shg

Dormers—Small — Med. — Large —

Bays—Small — Med. — Large —

Porches—Front 45' @ 200 96

Rear — @

Porch — @

Planters — @

Ext. Base. Entry — @

Cellar-Bsmt. — ¼ ½ ¾ Full — Floor Dirt 60

Bsmt. Gar. —

Basement-Apt. — Rms. — Fin. Rms. —

Attic Rooms Fin. — Unfin. —

Plumbing { Class 2 Tub 1 Trays 1 650

Basin 1 Sink 1 Toilet 1

Wtr. Sfr. — Shr. St. — O.T. —

Dishwasher — Garbage Disp. —

Heat—Stove — H.A. — FA — HW — Stkr — Elec. — 359

Oil — Gas — Coal — Pipeless — Radiant —

Air Cond. — Full — Zone —

Finish—Fir. — Hd. Wd. — Panel —

Floor—Fir. — Hd. Wd. — Other —

Cabinets — Mantels. —

Tile—Walls — Wainscot — Floors —

Storm Sash—Wood D. — S. —; Metal D. 1 S. 60

Awnings — Metal — Fiberglass —

Total Additions 1245

Year Built 1901 Avg. 1. Replacement Cost 5048

Age 2. Obsolescence

Inf. by { Owner - Tenant - Adj. Bld. Value

{ Neighbor - Record - Est. Conv. Factor x.47

Replacement Cost—1940 Base

Depreciation Column 1 2 3 4 5 6

1940 Base Cost, Less Depreciation

Total Value from reverse side garage 80

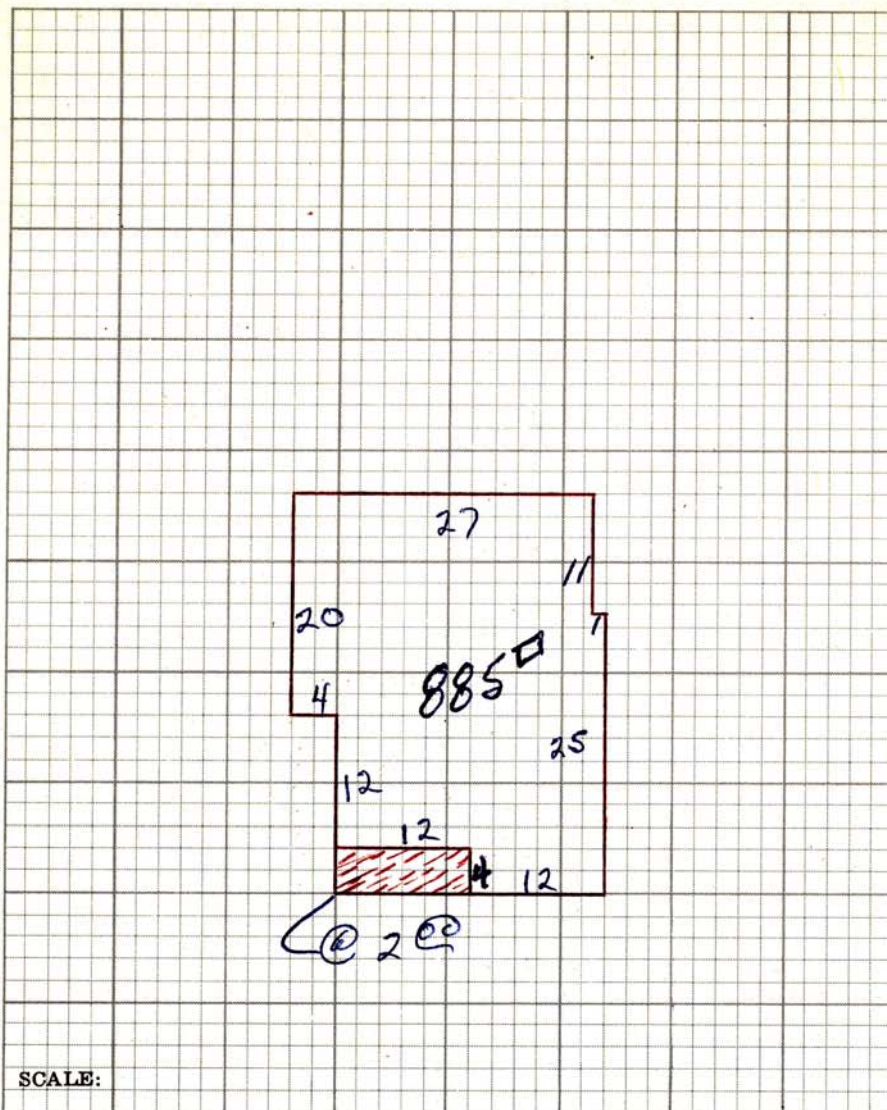
Total Building Value \$

Appraised ① 10-23 19 68 By 1581- City 1328

Appraised ② 19 By NOV 12 1968

021

15



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
X		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class 1 Depr. 2% 3%

Cars — Floor wood Walls sid Roof shy Doors

Size 14 x 16 Age 1921 Cost 2680 x 47%

1940 Base Cost x 30 % Depr.

Total 80

REMARKS



Researcher: Philip F. Notarianni
Date: September 1978

Site No. SU-10-566

Utah State Historical Society
Historic Preservation Research Office
Structure/Site Information Form

IDENTIFICATION

Street Address: 1125²⁹ Park Avenue, Park City
Name of Structure: _____
Present Owner: Joseph Buehler, et.al.
Owner Address: P.O. Box 812, Park City, Utah 84060

Plat SA Bl. 6 Lot N6-7
T. R. S.
UTM:
Tax #: SA-49

AGE/CONDITION/USE

Original Owner: unknown Construction Date: ca. 1901 Demolition Date: _____

Original Use: residential

Present Use:

- ☒ Single-Family
☐ Multi-Family
☐ Public
☐ Commercial
- ☐ Park
☐ Industrial
☐ Agricultural

- ☐ Vacant
☐ Religious
☐ Other

Occupants: _____

Building Condition:

- ☐ Excellent
☒ Good
☐ Deteriorated
- ☐ Site
☐ Ruins

Integrity:

- ☐ Unaltered
☒ Minor Alterations
☐ Major Alterations

STATUS

Preliminary Evaluation:

- ☐ Significant
☒ Contributory
☐ Not Contributory
☐ Intrusion

Final Register Status:

- ☐ National Landmark
☐ National Register
☐ State Register
- ☐ District
☐ Multi-Resource
☐ Thematic

DOCUMENTATION

Photography:

Date of Slides: June 1978
Views: Front ☒ Side ☐ Rear ☐ Other ☐

Date of Photographs: _____
Views: Front ☐ Side ☐ Rear ☐ Other ☐

Research Sources:

- ☐ Abstract of Title
☒ Plat Records
☒ Plat Map
☒ Tax Card & Photo
☐ Building Permit
☐ Sewer Permit
☒ Sanborn Maps
- ☐ City Directories
☐ Biographical Encyclopedias
☒ Obituary Index
☐ County & City Histories
☐ Personal Interviews
☒ Newspapers
☒ Utah State Historical Society Library

- ☐ LDS Church Archives
☐ LDS Genealogical Society
☒ U of U Library
☐ BYU Library
☐ USU Library
☐ SLC Library
☐ Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Summit County records.
Sanborn Maps, Park City, Utah, 1889, 1900, 1907.
Salt Lake Tribune, September 12, 1936, p. 29.

Architect/Builder: Unknown

Building Materials: Wood

Building Type/Style: Residential

Description of physical appearance & significant architectural features:

(Include additions, alterations, ancillary structures, and landscaping if applicable)

Front windows were double hung wood frame. Since the 1940s, the porch, with steep pediment overhang, has been added.

Statement of Historical Significance:

- | | | | |
|---|---|--|---|
| ☐ Aboriginal Americans | ☐ Communication | ☐ Military | ☐ Religion |
| ☐ Agriculture | ☐ Conservation | ☒ Mining | ☐ Science |
| ☐ Architecture | ☐ Education | ☐ Minority Groups | ☐ Socio-Humanitarian |
| ☐ The Arts | ☐ Exploration/Settlement | ☐ Political | ☐ Transportation |
| ☐ Commerce | ☐ Industry | ☐ Recreation | |

Contributory in style, as a vernacular cottage, found in mining towns.

Lot 8 to Jens Rasmussen in 1890; and in 1909 to Isaac Sundstrom (Erik Sundstrom-1915). Still in Sundstrom name.

Isaac Aaron Sundstrom immigrated to the U.S. in about 1887, having been born in Helden, Sweden, in 1850. Isaac arrived in Park City in 1902 and worked in the mines. He died in 1937.





HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property:

Address: 1129 PARK AVE

AKA:

City, County: Park City, Summit County, Utah

Tax Number: SA-50

Current Owner Name: SUNDSTROM MABLE

Parent Parcel(s):

Current Owner Address: PO BOX 514, PARK CITY, UT 84060-0514

Legal Description (include acreage): SUBD: SA BLOCK: 5; 0.13 AC

2 STATUS/USE

Property Category

- ☒ building(s), main
- ☐ building(s), attached
- ☐ building(s), detached
- ☐ building(s), public
- ☐ building(s), accessory
- ☐ structure(s)

Evaluation*

- ☐ Landmark Site
- ☒ Significant Site
- ☐ Not Historic

Reconstruction

- Date:
- Permit #:
- ☐ Full ☐ Partial

Use

Original Use: Residential
Current Use: Residential

*National Register of Historic Places: ☒ ineligible ☐ eligible
☐ listed (date:)

3 DOCUMENTATION

Photos: Dates

- ☒ tax photo:
- ☒ prints: 1995 & 2006
- ☐ historic: c.

Drawings and Plans

- ☐ measured floor plans
- ☐ site sketch map
- ☐ Historic American Bldg. Survey
- ☐ original plans:
- ☐ other:

Research Sources (check all sources consulted, whether useful or not)

- ☐ abstract of title
- ☒ tax card
- ☐ original building permit
- ☐ sewer permit
- ☒ Sanborn Maps
- ☐ obituary index
- ☐ city directories/gazetteers
- ☐ census records
- ☐ biographical encyclopedias
- ☐ newspapers
- ☒ city/county histories
- ☐ personal interviews
- ☐ Utah Hist. Research Center
- ☐ USHS Preservation Files
- ☐ USHS Architects File
- ☐ LDS Family History Library
- ☐ Park City Hist. Soc/Museum
- ☐ university library(ies):
- ☐ other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Rectangular or "Hall-Parlor" House

No. Stories: 1

Additions: ☐ none ☒ minor ☐ major (describe below) Alterations: ☐ none ☒ minor ☐ major (describe below)

Number of associated outbuildings and/or structures: ☐ accessory building(s), # ____; ☐ structure(s), # ____.

General Condition of Exterior Materials:

Researcher/Organization: Dina Blaes/Park City Municipal Corporation

Date: November, 08

- ☒ Good (Well maintained with no serious problems apparent.)
- ☐ Fair (Some problems are apparent. Describe the problems.):
- ☐ Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- ☐ Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Foundation: Not visible and therefore its material cannot be verified.

Walls: Drop-novelty wood siding and trim

Roof: Metal

Windows/Doors: Aluminum picture windows, 1960s era decorative wood door and aluminum screen door

Essential Historical Form: ☒ Retains ☐ Does Not Retain, due to:

Location: ☒ Original Location ☐ Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): Form exhibits little to no major alterations other than of material usage and the changing of the 6 over 6 pane double hung windows in the tax photo to accommodate 1960s era picture windows (in varying sizes) as seen in 1995 photo. Gabled porch awning also added to center of the front elevation between the time of the tax photo and 1949 (as indicated by the building card sketch of that year.) The building card also indicates a rear expansion of the house between 1949 and 1968, unseen by photos provided. The changes are significant and diminish the site's original character.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): A deep and narrow building lot on fairly flat terrain. The structure is greatly recessed (roughly 30+ feet) from the city roadway, and its front elevation aligns behind even the rear facing of both of its neighbors. Overgrown but well maintained lilac shrubs are along the right length of the front elevation, and a darkened grass patch in the center indicates a previous entry sidewalk to the structure, now overgrown.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): Though the distinctive elements that define the typical Park City mining era home- simple methods of construction, the use of non-beveled (drop-novelty) wood siding, the plan type (Hall-parlor), the simple roof form, the informal landscaping, the restrained ornamentation, and the plain finishes, have been altered, the building retains its essential historical form.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The Hall-Parlor house form is the earliest type to be built in Park City and one of the three most common house types built in Park City during the mining era; however, the extent of the alterations to the main building diminishes its association with the past.

The extent and cumulative effect of alterations to the site render it ineligible for listing in the National Register of Historic Places.

5 SIGNIFICANCE

Architect: ☒ Not Known ☐ Known: (source:)

Date of Construction: c. 1895¹

¹ Structure appears on the 1907 and 1900 Sanborn Insurance Maps; Summit County Recorder indicates a construction date of 1901.

Builder: ☒ Not Known ☐ Known: (source:)

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

- ☐ Settlement & Mining Boom Era (1868-1893)
- ☒ Mature Mining Era (1894-1930)
- ☐ Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.²

2. **Persons** (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. **Architecture** (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

- Photo No. 1:** East elevation (primary façade). Camera facing west, 2006.
- Photo No. 2:** East elevation (primary façade). Camera facing west, 1995.
- Photo No. 3:** East elevation (primary façade). Camera facing west, tax photo.

² From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.

SERIAL NO.
RE-APPRAISAL CARD (1940 APPR. BASE)

Owner's Name _____

Owner's Address _____

Location _____

Kind of Building Res. Street No. _____

Schedule 1 Class 1 Type 1-2-3-4 Cost \$ _____ X %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
<u>1</u>	<u>x x</u>		<u>504</u>	<u>\$ -</u>	<u>\$ 250</u>
	<u>x x</u>			<u>\$</u>	<u>\$</u>
	<u>x x</u>			<u>\$</u>	<u>\$</u>

No. of Rooms 4 Condition _____

Description of Building	Add	Deduct
Foundation—Stone _____ Conc. _____ None ☒		
Ext. Walls <u>Siding</u>		
Insulated—Floors _____ Walls _____ Clgs. _____		
Roof—Type <u>Gab.</u> Mat. <u>Aluminum</u>		
Dormers—Small _____ Med. _____ Lg. _____		
Bays—Small _____ Med. _____ Lg. _____		
Porches—Front <u>24" @ .80</u>	<u>19</u>	
Rear _____ @ _____		
Cellar—Basin't <u>1/4 1/2 1/2 3/4 full-floor</u> <u>Dirt</u>	<u>40</u>	
Basement Apts.—Rooms Fin. _____		
Attic Rooms _____ Fin. _____ Unfin. _____		
Plumbing—{ Class <u>1</u> Tub _____ Trays _____ Basin _____ Sink <u>1</u> Toilet <u>1</u> Urns _____ Ftns. _____ Shr. _____ Dishwasher _____ Garbage Disp. _____	<u>245</u>	
Heat—Stove _____ H. A. _____ Steam _____ S. _____ Blr. _____ Oil _____ Gas _____ Coal _____		
Air Conditioned _____ Incinerators _____		
Radiant—Pipeless _____		
Finish—{ Hd. Wd. _____ Floors—{ Hd. Wd. ☒ Fir. ☒ Fir. ☒ Conc. _____		
Cabinets _____ Mantels _____		
Tile—{ Walls _____ Wainscot. _____ Floors _____		
Lighting—Lamp _____ Drops ☒ Fix. _____		
<u>16. lined 4 @ 25 =</u>		<u>100</u>
Total Additions and Deductions	<u>304</u>	<u>100</u>
Net Additions or Deductions	<u>-100</u>	<u>250</u>

Ave Age 48 Yrs. by { Est. Owner ☒
Tenant _____
Neighbors _____
Records _____

REPRODUCTION VALUE \$ 904

Depr. 12-3-4-5-6 61/39 % \$ _____

Reproduction Val. Minus Depr. \$ 372

Remodeled _____ Est. Cost _____ Remodeling Inc. _____ % \$ _____

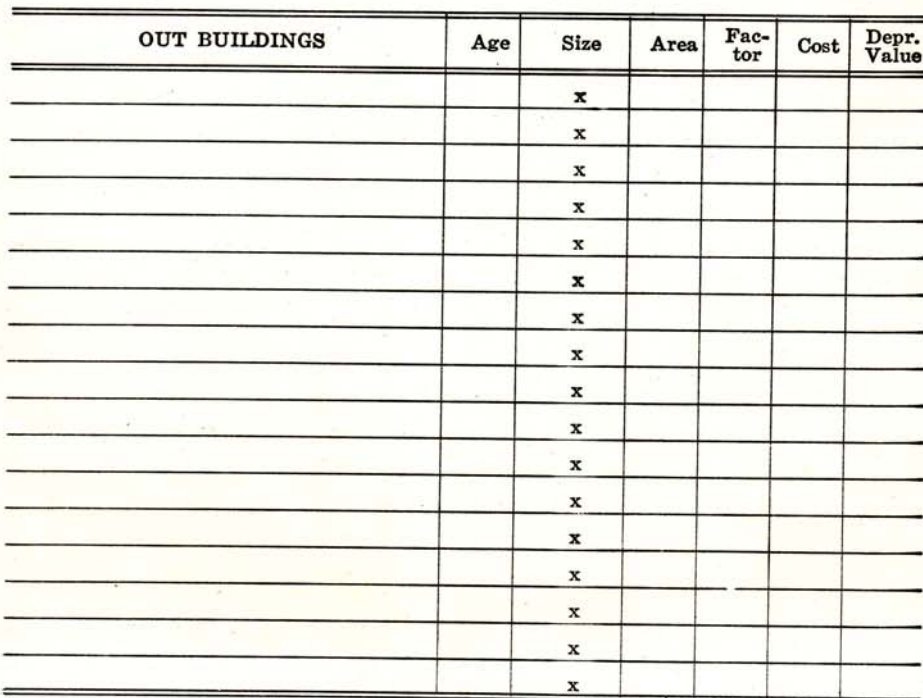
Garage—S 8 C 1 Depr. 2% 3% Obsolescence \$ _____

Cars 1 Walls Sht. Out Bldgs. \$ _____

Roof T.P. Size 12 x 16 Age 23 \$ _____

Floor Dirt Cost 112/71 Depreciated Value Garage \$ 35

Remarks _____ Total Building Value \$ 407



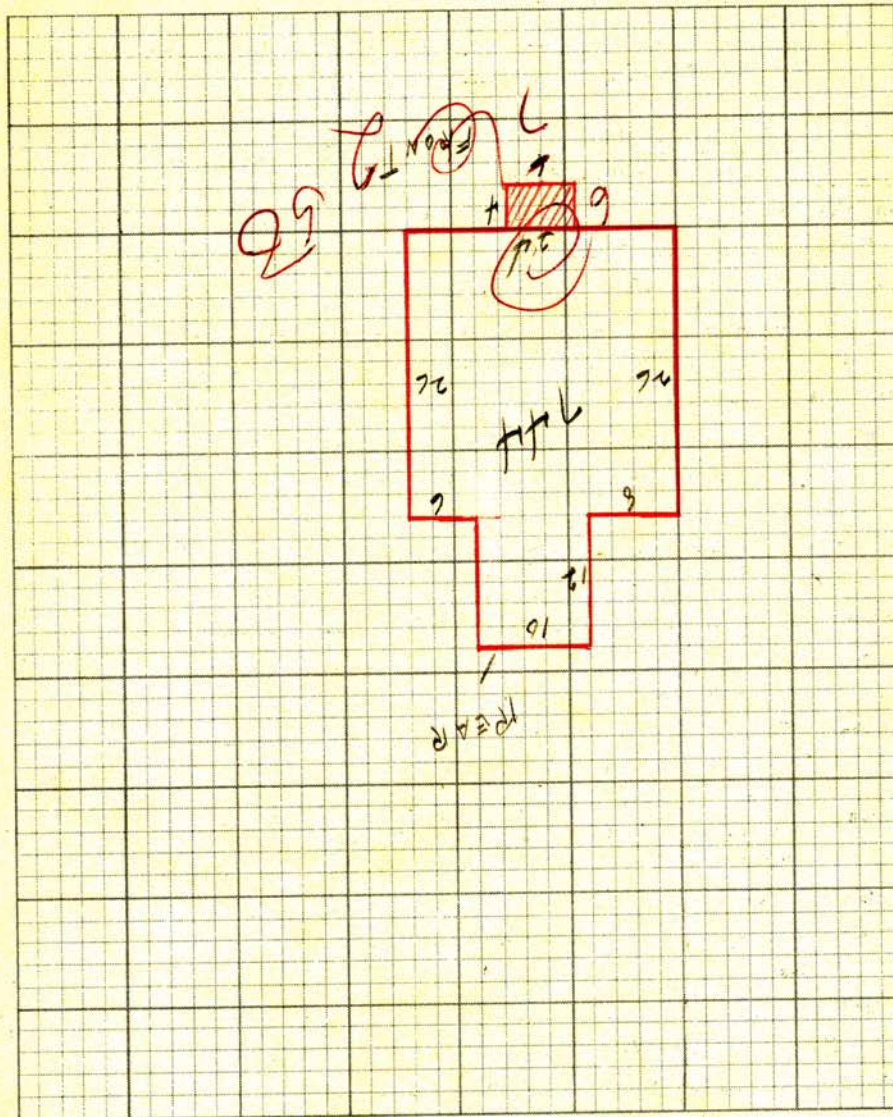
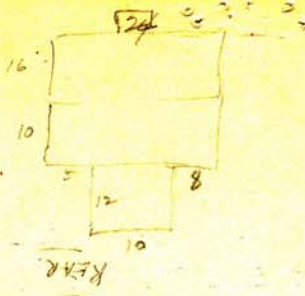
Location Block 5 SA. S23 1st E - N 1/2 lot 26 All 25 - S 1/2 lot 24
Kind of Bldg. RES St. No. 1129 Park Ave
Class 2 Type 1 2 3 4, Cost \$ 1292 X %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
<u>1</u>	<u>x x</u>		<u>744</u>		<u>\$ 1292</u>
	<u>x x</u>				
	<u>x x</u>				

Gar.—Carport x Flr. Walls Cl.

Description of Buildings	Additions
Foundation—Stone <u> </u> Conc. <u> </u> None <u> </u>	
Ext. Walls <u>Side</u>	
Insulation—Floors <u> </u> Walls <u> </u> Clgs. <u> </u>	
Roof Type <u>Gable</u> Mtl. <u>Alum</u>	
Dormers—Small <u> </u> Med. <u> </u> Large <u> </u>	
Bays—Small <u> </u> Med. <u> </u> Large <u> </u>	
Porches—Front <u>46</u> @ <u>80</u>	<u>19</u>
Rear <u> </u> @ <u> </u>	
Porch <u> </u> @ <u> </u>	
Metal Awnings <u> </u> Mtl. Rail <u> </u>	
Basement Entr. <u> </u> @ <u> </u>	
Planters <u> </u> @ <u> </u>	
Cellar-Bsmt. — <u>1/4</u> <u>1/3</u> <u>1/2</u> <u>3/4</u> Full <u> </u> Floor <u> </u>	<u>4</u>
Bsmt. Apt. <u> </u> Rooms Fin. <u> </u> Unfin. <u> </u>	
Attic Rooms Fin. <u> </u> Unfin. <u> </u>	
Plumbing { Class <u>2</u> Tub <u>1</u> Trays <u> </u>	
Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u>	
Wtr. Sfr. <u> </u> Shr. St. <u> </u> O.T. <u> </u>	
Dishwasher <u> </u> Garbage Disp. <u> </u>	
Built-in-Appliances <u> </u>	
Heat—Stove <u> </u> H.A. <u> </u> Steam <u> </u> Stkr. <u> </u> Blr. <u> </u>	
Oil <u> </u> Gas <u> </u> Coal <u> </u> Pipeless <u> </u> Radiant <u> </u>	
Air Cond. <u> </u>	
Finish—Fir <u> </u> Hd. Wd. <u> </u>	
Floor—Fir <u> </u> Hd. Wd. <u> </u> Other <u> </u>	
Cabinets <u> </u> Mantels <u> </u>	
Tile—Walls <u> </u> Wainseot <u> </u> Floors <u> </u>	
Storm Sash—Wood D. <u> </u> S. <u> </u> ; Metal D. <u>11</u> S. <u> </u>	
Total Additions	<u>59</u>

Year Built <u> </u>	Avg. <u>59</u>	Current Value	\$ <u>1351</u>
Age <u>1949-48</u>		Commission Adj. <u> </u> %	
Inf. by { Owner - Tenant -		Bldg. Value	
Neighbor - Record - Est.		Depr. Col. 1 2 3 4 5 6 <u>30</u> %	
Remodel Year <u> </u>	Est. Cost <u> </u>	Current Value Minus Depr.	\$ <u>405</u>
Garage—Class <u>1</u>	Depr. 2% 3% <u>30</u>	Carport—Factor <u> </u>	
Cars <u>1</u>	Floor <u> </u> Walls <u> </u> Roof <u>TP</u>	Doors <u> </u>	
Size— <u>12</u> x <u>10</u>	Age <u>32</u>	Cost <u>112</u> x <u>30</u> %	<u>34</u>
Other <u> </u>			
Total Building Value			\$ <u> </u>



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Depr. Value
		x				
		x				
		x				
		x				
		x				
TOTAL						

Remarks: *No one home.*

SA-50
Serial Number

OF
Card Number

Owners Name Park City
Location Res St. No. 1129 Park Ave
Kind of Bldg. 2 Type 1 2 3 4, Cost \$ 2401 x100 %
Class. 2

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
1	x x	744		\$ 2401	\$
	x x				
	x x				

Att. Gar.—C.P.—x— Flr.— Walls— Cl.—
Description of Buildings

Foundation—Stone—Conc.—Sills—✓
Ext. Walls Siding
Roof Type gable Mtl. TIN
Dormers—Small— Med. Large
Bays—Small— Med Large
Porches—Front 42'4" @ 250 105
Rear @
Porch @
Planters @
Ext. Base. Entry @
Cellar Bsmt.— $\frac{1}{4}$ $\frac{1}{3}$ $\frac{1}{2}$ $\frac{2}{3}$ $\frac{3}{4}$ Full — Floor 40
Bsmt. Gar.

Basement-Apt. — Rms. — Fin. Rms. —
Attic Rooms Fin. — Unfin. —

Plumbing
Class 2 Tub. 1 Trays
Basin 1 Sink 1 Toilet 1 650
Wtr. Sfr. — Shr. St. — O.T. —
Dishwasher — Garbage Disp. —

Heat—Stove — H.A. — FA ✓ HW — Stkr — Elec. —
Oil — Gas ✓ Coal — Pipeless — Radiant — 328

Air Cond. — Full — Zone —
Finish—Fir. — Hd. Wd. — Panel —
Floor—Fir. — Hd. Wd. — Other —

Cabinets ✓ Mantels. —
Tile—Walls — Wainscot — Floors 120
Storm Sash—Wood D. — S. —; Metal D. 2 S. —

Awnings — Metal — Fiberglass —

Total Additions 1243

Year Built 1901 Avg. 1. Replacement Cost 3644
Age 2. Obsolescence

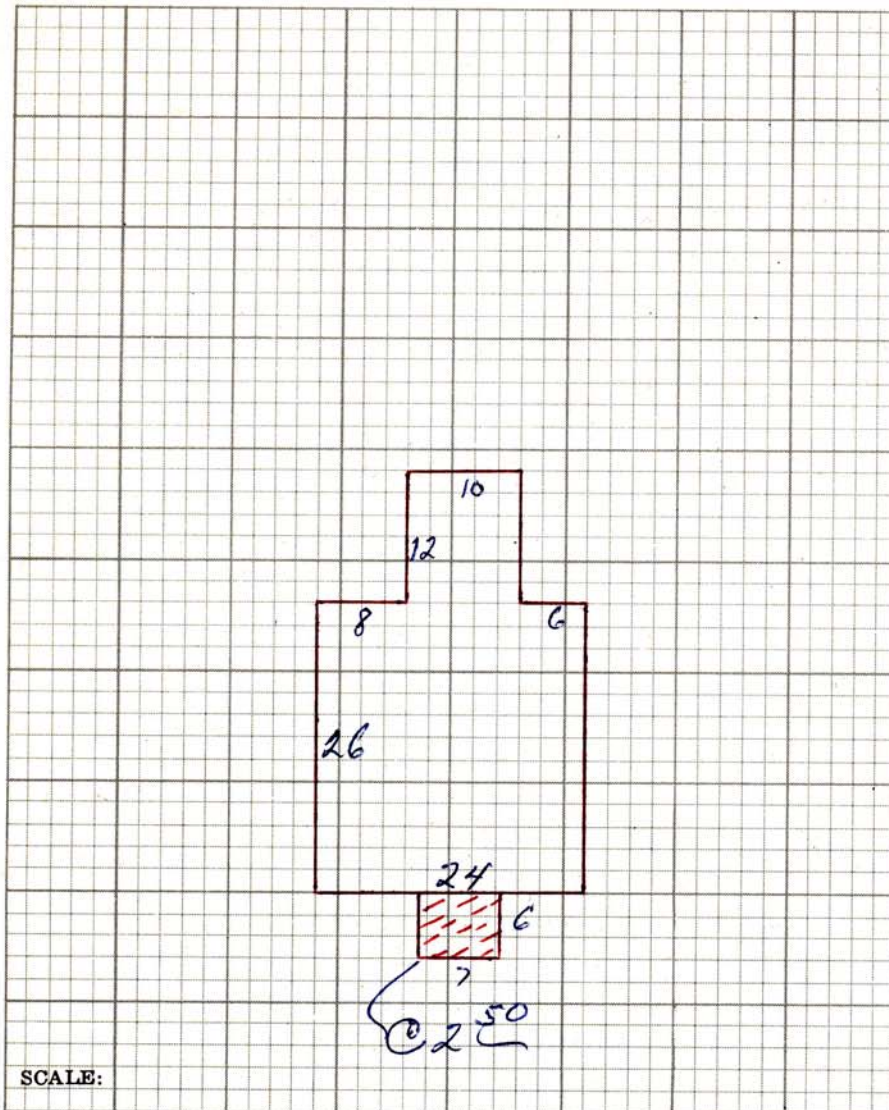
Inf. by Owner - Tenant - Adj. Bld. Value
Neighbor Record - Est. Conv. Factor x.47

Replacement Cost—1940 Base
Depreciation Column 1 2 3 4 5 6

1940 Base Cost, Less Depreciation
Total Value from reverse side garage 61

Total Building Value \$

Appraised ① 10-23 19 68 By 1581-C977 1328
Appraised ② 19 43 By 28



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class 1 Depr. 2% 3%

Cars - Floor DIRT Walls skt Roof RR Doors -

Size 12 x 16 Age 43 Cost 203 x 47%

1940 Base Cost - x - % Depr. -

Total 61

REMARKS -

-

-

-





NO
PARKING
2AM-6AM
↔

1129

JUPITER MOONS PLAT AMENDMENT
LOCATED IN
SNYDER'S ADDITION TO PARK CITY SURVEY, BLOCK 5
(1125 & 1129 Park Avenue)

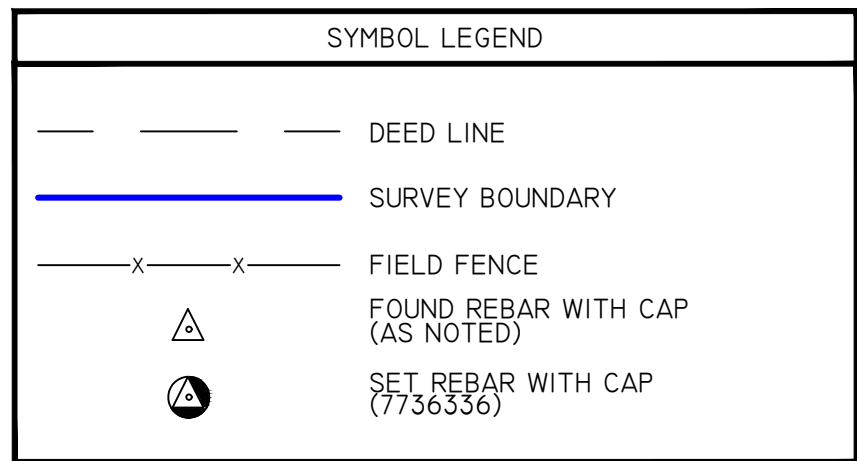
March 4, 2021

A historic single family residence is located at 1125 Park Avenue and one at 1129 Park Avenue.

Both the 1125 Park Avenue property and the 1129 Park Avenue property are described by two separate metes and bounds descriptions and each includes lots or portions of lots extending from Park Avenue to Woodside Avenue.

The owners would like to divide the 1125 Park Avenue property into two lots of record with the goal of remodeling the historic residence and adding an addition onto the historic residence on the Park Avenue lot (proposed Lot B) and constructing a new single family residence on the Woodside Avenue lot (proposed Lot C).

On the 1129 Park Avenue property (proposed Lot A), the owner would like to construct a duplex dwelling with one unit comprising the historic residence which would face and have access from Park Avenue and the other unit would face and have access from Woodside Avenue.



I, CHAD A. ANDERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 7736336, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE HEREON DESCRIBED PARCEL AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

CHAD A ANDERSON - PLS _____ DATE _____



THE PURPOSE OF THIS SURVEY IS TO PROVIDE BOUNDARY INFORMATION TO AID IN THE SALE OF THE SUBJECT PROPERTY. SURVEY WAS PERFORMED IN OCTOBER OF 2020.

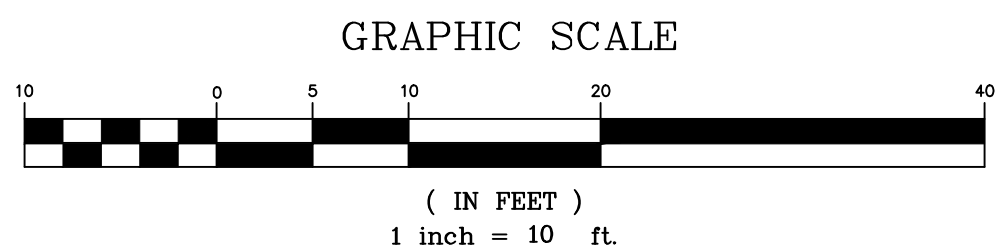
LOT 1:
 BEGIN AT A POINT RETAINING WALL, SAID POINT BEING 0.80 FEET S35°59'00" E ALONG THE BLOCK LINE FROM THE NORTHERLY MOST CORNER OF LOT 7, BLOCK 5, SNYDER'S ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, SAID POINT ALSO BEING 90.00 FEET S35°59'00" W ALONG THE MONUMENT LINE FROM A STREET MONUMENT AT THE INTERSECTION OF SAID STREET AND PARK AVE. AND 25.00 FEET S54°01'00" W TO SAID NORTHERLY MOST CORNER OF LOT 7, AND 0.80 FEET S35°59'00" E TO THE POINT OF BEGINNING; AND RUNNING THENCE S55°59'00" E 56.70 FEET ALONG SAID BLOCK LINE; THENCE S56°01'00" W 150.00 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID BLOCK; THENCE N35°59'00" W 25.00 FEET; THENCE N54°01'00" E 7.50 FEET; THENCE N35°59'00" W 9.87 FEET; THENCE N54°59'57" E 4.96 FEET; THENCE N62°48'15" E 4.87 FEET TO A HOUSE CORNER; THENCE N36°20'15" E 23.54 FEET TO THE BUILDING LINE TO THE FRONT OF THE EXISTING HOUSE TO THE STREET; THENCE N36°20'15" E 4.40 FEET TO A POINT ON SAID RETAINING WALL; THENCE N62°40'50" E 44.83 FEET ALONG SAID RETAINING WALL TO THE POINT OF BEGINNING.
 CONTAINING 0.10 ACRES

LOT 2:
BEGINNING AT A POINT A RETAINING WALL, SAID POINT BEING 0.80 FEET S35°59'00" E ALONG THE BLOCK LINE FROM THE NORTHERLY MOST CORNER OF LOT 7, BLOCK 5, SNYDER'S ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE OF AND RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, SAID POINT ALSO BEING 190.00 FEET N35°59'00" W ALONG THE MONUMENT LINE FROM A STREET MONUMENT AT THE INTERSECTION OF 11TH STREET AND PARK AVE. AND 25.00 FEET S54°10'59" W TO SAID NORTHERLY MOST CORNER OF LOT 7, AND 0.80 FEET S35°59'00" E TO THE POINT OF BEGINNING; AND RUNNING THENCE S52°40'59" W ALONG SAID RETAINING WALL 44.83 FEET; THENCE S36°20'15" W 4.60 FEET TO A CORNER OF THE EXISTING HOUSE; THENCE S52°32'49" W ALONG SAID HOUSE LINE 15.63 FEET; THENCE S62°48'15" W 4.87 FEET; THENCE S56°35'57" W 4.96 FEET; THENCE S35°59'00" E 9.87 FEET; THENCE S64°00'11" W 75.00 FEET; THENCE N35°59'00" W 50.00 FEET; THENCE S35°59'00" E 75.00 FEET; THENCE S35°59'00" W 44.50 FEET; THENCE S35°59'00" E 23.80 FEET TO THE POINT OF BEGINNING;
CONTAINING 0.13 ACRES

EASEMENT:
BEGINNING AT A POINT 190.00 FEET N35°59'00" W ALONG THE MONUMENT LINE FROM A STREET MONUMENT AT THE INTERSECTION OF 11TH STREET AND PARK AVE. AND 25.00 FEET S54°01'00" W TO SAID NORTHERLY MOST CORNER OF LOT 7 AND S54°01'00" W 75.00 FEET AND S35°59'00" E 3.53 FEET TO THE POINT OF BEGINNING; AND RUNNING THENCE S35°59'00" E 8.97 FEET; THENCE S54°01'00" W 3.71 FEET; THENCE N34°03'25" W 9.15 FEET; THENCE N56°35'57" E 3.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 32 SQUARE FEET

BASIS OF BEARINGS: S35°59'00"E MEASURED BETWEEN FOUND STREET MONUMENTS AS SHOWN HEREON.



WWW.ELEMENTSURVEYING.COM 2296 SOUTH 270 EAST, HEBER CITY, UT 84032
(801) 592-5975

EXISTING
CONDITIONS

WENDY SMITH

PREPARED FOR:

PROJECT NO.
20-10-280

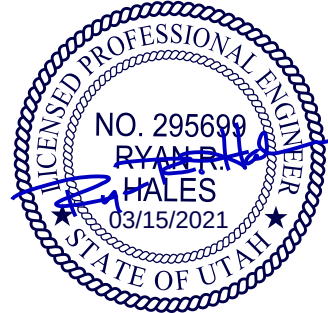
PARK AVENUE EXISTING CONDITIONS

SHEET

1 OF 1

MEMORANDUM

Date: March 15, 2021
To: Washington School House, LLC
From: Hales Engineering



Subject: Washington School House Inn Parking Study

UT21-1830

This memorandum discusses the parking study completed for the Washington School House Inn in Park City, Utah. The study identifies the parking supply included in the site plan, the parking supply rates required by the City and parking demand rates identified by the Institute of Transportation Engineers (ITE). A discussion of the anticipated parking demand for special events on the property is also included.

Project Description

The Washington School House is located at 543 Park Avenue. A vicinity map of the project site is shown in Figure 1, and a full site plan is found in Appendix A. The Washington School House operates as a boutique bed and breakfast. It serves a limited number of guests that seek a small, private, and exclusive destination. The Washington School House has been recognized in the media, including Travel + Leisure, as a destination draw for Park City.

The owners of the property applied for a conditional use permit to change the Washington School House's current operations as a Bed and Breakfast Inn to a Hotel Minor land use under Park City code. The hotel will have 12 rooms. The property site plan identifies a total of 12 stalls (11 stalls located in a lot across Park Avenue and authorized by easement and 1 parking stall planned for the west end of the property on Woodside Avenue). A driveway on the property offers 2 additional stalls that do not meet the City's off-street parking dimensions.



Figure 1: Site vicinity map of the project in Park City, Utah

Park City Parking Code

The Park City code specifies parking rates for various land use types. According to section 15-3-6B of the code, the City requires “1 space per room or suite, and one space per 200 sf of separately leasable commercial space.” This property doesn’t include any separately leasable commercial space. Based on these requirements, the Washington School House is required to provide a total of 12 off-street parking spaces. This requirement will be met with the 11 current off-street parking spaces and the 1 proposed parking space.

ITE Parking Demand Rates

While the planned usage of the Washington School House is unique and smaller than a typical hotel, it is comparable to the Institute of Transportation Engineers (ITE), *Parking Generation*, 5th Edition, 2019, business hotel land use. The average parking demand rate for a business hotel (ITE land use 312 is 0.72 parking stalls per hotel room, with an 85th percentile demand rate of 0.83 stalls per room and a maximum observed rate of 0.85 parking stalls per room. This is based on 11 study sites across the United States since the year 1980, with an average parking supply of 1.1 spaces per room. The number of stalls needed based on each of these rates for the proposed project is shown in Table 1.

Table 1: ITE Parking Generation

Park City - Washington School House Inn ITE Parking Generation (LU 312)		
Rate Type	Rate (stalls/dwelling unit)	Stalls
Average	0.72	9
85th Percentile	0.83	10
Maximum	0.85	11
ITE Parking Generation, 5th Edition, 2019		
Source: Hales Engineering, February 2021		

It is typically recommended that the parking demand be increased by 10% to provide an adequate parking supply for the property. If the 85th percentile parking demand of 10 stalls is used, then a parking supply of 11 stalls is advisable. A summary of the parking rates from the existing site plan, the Park City code, and ITE data can be found in Table 2.

Table 2: Parking Rate Comparison

Park City - Washington School House Inn Parking Rate Comparison		
Source	Rate (stalls / room)	# of Stalls
Park City Parking Code	1.00	12
ITE 85th Percentile Parking Demand	0.83	10
Existing Site Parking (off-street)	1.00	12
ITE Parking Generation, 5th Edition, 2019		
1. Two driveway parking spaces exist and have not been included in these numbers		
Source: Hales Engineering, February 2021		

The proposed site plan, which includes 12 off-street parking spaces, exceeds the recommended ITE parking supply. Moreover, the property owner reports, based on experience with the bed and breakfast, that only about 25% of guests require parking during their stay. This results in use of about 3 of the available parking spaces. The remaining guests arrive via transit, ridesharing services, or private transportation services and use these same services during their stay. Guests using transportation services are picked up and dropped off in a pull out located in front of the Washington School House.

Special Events

The Hotel (Minor) land use would allow the Washington School House to host small, private events. These special events are anticipated to include small corporate retreats, and small, private celebrations for weddings or other milestone events.

The property owners have indicated that no more than 60 guests would be permitted on the property for special events. This is due to the private, exclusive nature of the property and the small nature of the gathering spaces. This number includes up to 34 overnight guests (which is the Washington School House's full occupancy, based on sleeping areas available in the 12 guest rooms). The balance of special event guests would arrive from offsite.

As described above, the property owner stated that most overnight guests utilize ridesharing services for transportation to and from the Washington School House. Approximately 25% of overnight guests bring their own vehicles and require parking. If 25% of the overnight guests use parking spaces, then only 3 of the 12 spaces on the property are being used by these guests. That leaves more than adequate parking capacity for non-overnight, special event guests (estimated at 26 for special events when the Washington School House is completely rented out), the majority of which will also likely use ridesharing or other transportation services. Guests arriving by rideshare, or other transportation service, will be picked up and dropped off in the pull out in front of the Washington School House. The Washington School House will manage parking during special events through use of a valet service.

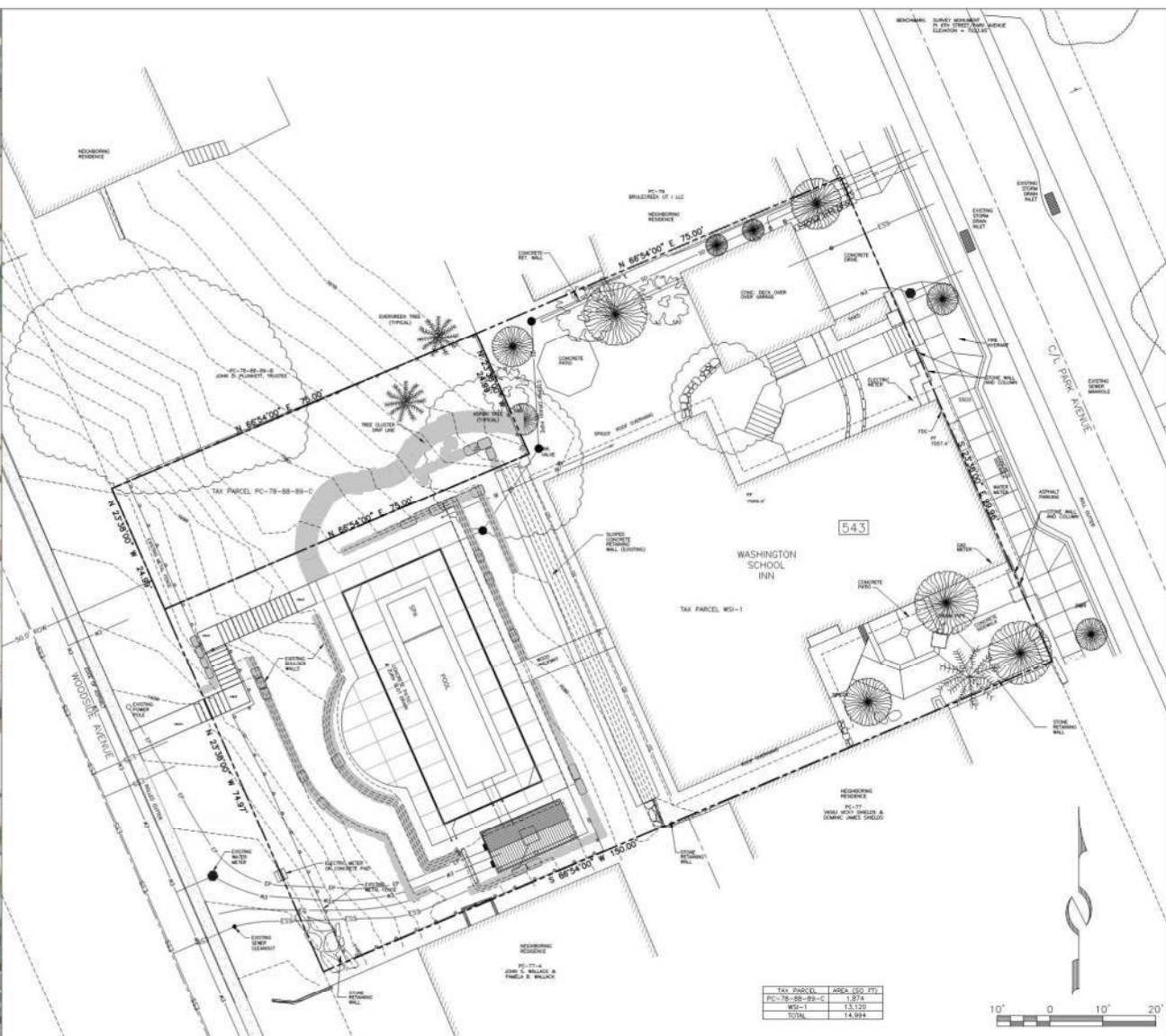
Conclusions and Recommendations

Hales Engineering makes the following conclusions for parking at the proposed Washington School House Hotel in Park City, Utah:

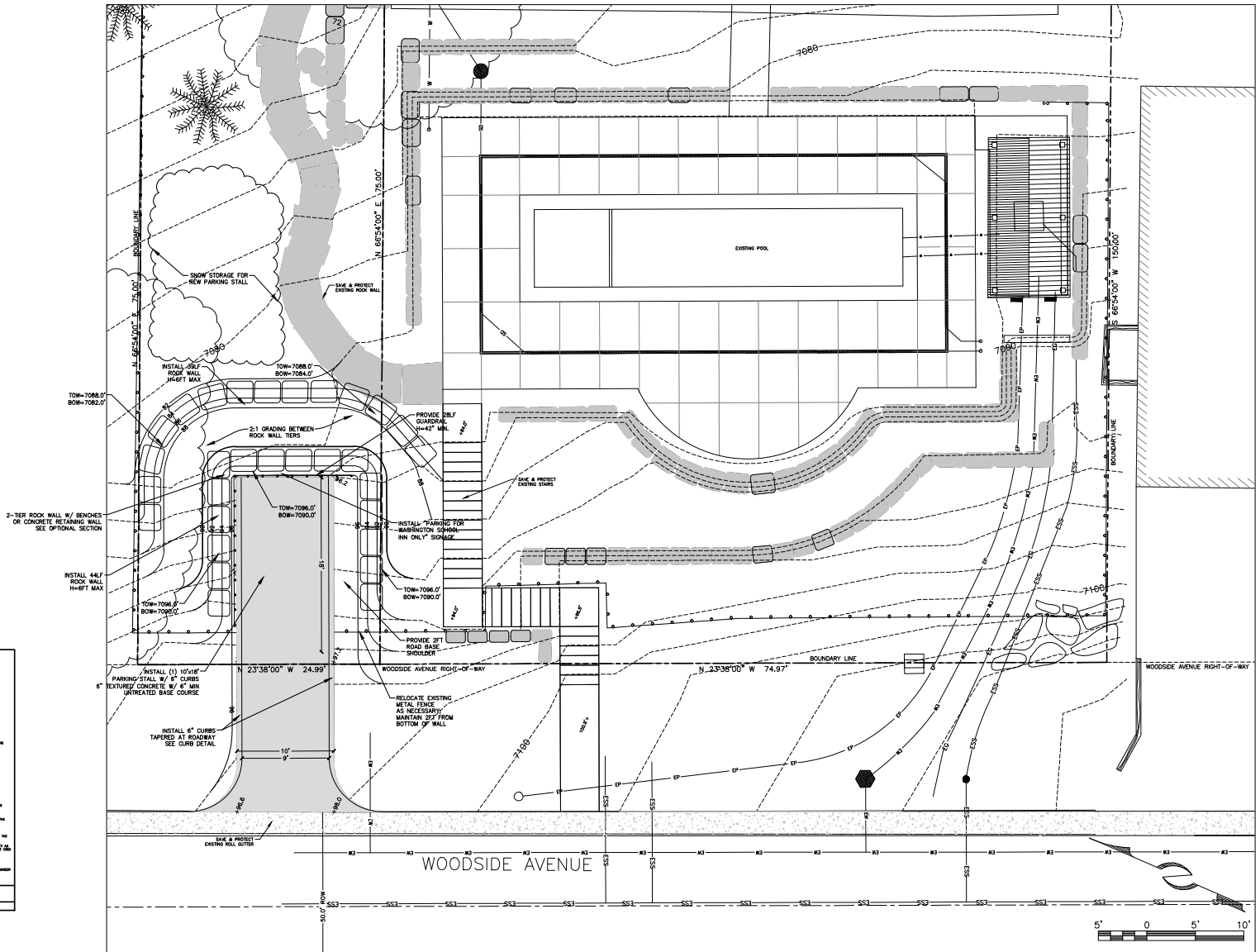
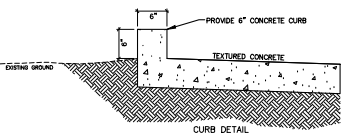
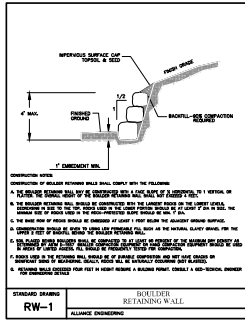
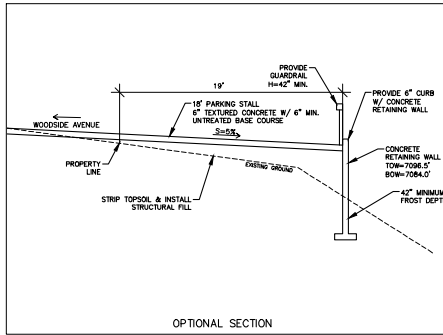
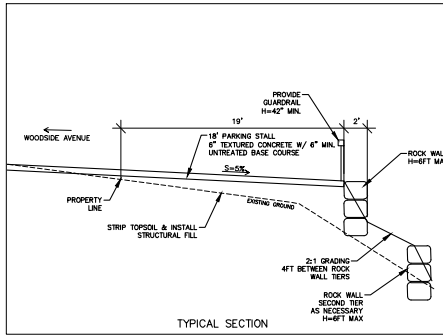
- The proposed site plan for the Washington School House Hotel identifies a total of 12 off-street parking spaces, with 2 additional spaces available in the driveway at the property. This equals a parking supply of 1 parking space per room.
- Section 15-3-6B of the Park City code would require 12 parking spaces for the Washington School House property under the “Hotel (minor)” land use. This translates to a parking supply rate of 1.0 parking space per room.
- The ITE 85th percentile parking demand rate for a business hotel is 0.83 parking stalls per room, translating to 10 parking stalls. With a 10% increase to parking demand, a parking supply of 11 parking stalls is recommended.
 - The current site plan meets the number of parking spaces required in the Park City code and exceeds the number recommended by the ITE data.
 - Based on past parking usage at the property, overnight guests will only use approximately 3 of the 12 available spots.
- The Washington School House is a small, private, exclusive destination that is meant to provide a high level of service to a limited number of guests. It may host small, private, special events under the new “Hotel (minor)” land use.
 - The events will largely cater to overnight guests, with a limited number of additional special event guests who are not staying at the Hotel.
 - Based on past experience, most guests at the Hotel will use ridesharing services and do not require on-site parking. It is not anticipated that parking demand will exceed the 12 supplied parking spaces during special events.

APPENDIX A

Site Plan



SHEET
1
OF
2



STAFF:
MICHAEL DEMKOWICZ
RYAN BETZ

2020 IMPROVEMENTS
543 PARK AVENUE
WASHINGTON SCHOOL INN

FOR: TRIP BENNETT
JOB NO.: 20-7-17
FILE: X:\ParkCitySurvey\dwg\7-4-10\2017 improvements\WSI-civil.dwg

SHEET
2
OF
2