

Ordinance 2021-46

SHORT TITLE:


AN ORDINANCE AMENDING PROVO CITY CODE REGARDING ACCESSORY DWELLING UNITS (ADUS) AND THEIR DEVELOPMENT STANDARDS. CITYWIDE APPLICATION. (PLOTA20210345)

I

PASSAGE BY MUNICIPAL COUNCIL
ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	DAVID SEWELL	✓		
CW 2	DAVID SHIPLEY	✓		
CD 1	BILL FILLMORE	✓		
CD 2	GEORGE HANDLEY	✓		
CD 3	SHANNON ELLSWORTH		✓	
CD 4	TRAVIS HOBAN	✓		
CD 5	DAVID HARDING		✓	
TOTALS		5	2	0

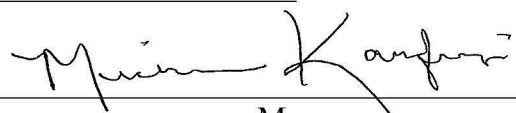
This ordinance was passed by the Municipal Council of Provo City, on the 14th day of December 2021, on a roll call vote as described above. Signed this 19th day of January 2022.


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 20th day of January 2022.


Mayor

Ordinance 2021-46

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 25th day of January 2022 and was published on the Utah Public Notice Website on the 15th day of December 2021. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2021-46.



A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a horizontal line.

City Recorder

47 END OF ORDINANCE.

Exhibit A

Chapter 14.30

~~SUPPLEMENTARY RESIDENTIAL AND~~ ACCESSORY APARTMENT OVERLAY ZONES DWELLING UNITS.

Sections:

14.30.010 Purpose and Objectives.

14.30.020 Permitted Use of Accessory Dwelling Units

~~14.30.0230 Use in Combination.~~ Accessory Dwelling Unit (ADU) Development Standards

~~14.30.030 Permitted Uses.~~

~~14.30.035 Accessory Dwelling Unit Development Standards~~

~~14.30.040 Development Standards.~~

~~14.30.050 Area of Zone.~~

~~14.30.060 Petition for Zone Adoption.~~

~~14.30.070 Parking Requirements.~~

~~14.30.080 Nonconforming Uses.~~

~~14.30.090 Termination of Nonconforming Uses -- Recovery of Investment.~~

14.30.010 Purpose and Objectives.

(1) The purpose of the ~~Supplementary Residential (S) overlay zone~~ Accessory Dwelling Unit (ADU) Development Standards is to ~~recognize the unique character of Provo City as a “university community” and to accommodate supplementary living accommodations in some appropriate one-family residential areas of the community. These provisions are intended to meet community demands for residential accommodations for semi-transient residents in areas of the community adjacent to major educational and institutional uses. This overlay zone is designed to provide an alternative living environment for said semi-transient residents to that normally found within the higher density multiple residential zones. The (S) overlay zone will therefore protect and enhance the desirable aesthetic characteristics of the underlying one-family residential zone. An R1 zone with a Supplementary Residential (S) overlay as described in this Chapter is intended to continue the very low density of an R1 zone. The sole function of the overlay is to permit alternate methods of housing the occupancy otherwise permitted in an R1 zone.~~

~~(2) The Accessory Apartment (A) overlay zone is established to provide areas for the encourage ment and~~ promotion of an environment for family life by providing for the establishment of an ~~accessory apartment~~ ADUs in conjunction with one-family detached dwellings on individual lots. ~~The Accessory Apartment overlay zone is~~ These development standards are hereby established to

80 promote the use of ADUs; to provide flexibility for the changes in household size associated with life
81 cycle; to offer financial security for home buyers owners; and to offer security against problems
82 associated with frailty in old age.

83 **14.30.020 Permitted Use of Accessory Dwelling Units**

84 (1) Notwithstanding the regulation of permitted uses in other Chapters of this Title, the regulation of
85 the permitted use of accessory dwelling units is governed by this Section.

86 (2) As required by Utah Code Section 10-9a-530, as amended, the use of an internal accessory
87 dwelling unit in areas zoned primarily for residential use is a permitted use, except as otherwise
88 provided in this Section.

89 (a) For purposes of this Section, the phrase “areas zoned primarily for residential use”
90 means areas in the following zones: RA, R1, R2, LDR, MDR, HDR, CMU, VLDR, RM, RC,
91 any Project Redevelopment Option (PRO) zone, and Specific Development Plan Overlay
92 zones 2-5.

93 (3) Notwithstanding Subsection (2), Utah Code Section 10-9a-530 allows the prohibition of internal
94 accessory dwelling units in some areas zoned primarily for residential use. Accordingly, internal
95 accessory dwelling units are prohibited in the following areas zoned primarily for residential use:

96 (a) All Project Redevelopment Option (PRO) zones, except: the High Density Mixed Use
97 PRO zone, the Arbors on the Avenue PRO zone, the Independence Avenue PRO zone, the
98 Hollows at Riverwoods PRO zone, the Liberty Place PRO zone, and the Spring Creek High
99 Occupancy PRO zone;

100 (b) Areas in the Lakeview Fields (SDP-4) Specific Development Plan Overlay zone and the
101 Villages at Celebration (SDP-5) Specific Development Plan Overlay zone.

102 (c) Areas designated R17, R19, or R110, including such areas with the Performance
103 Development overlay; and

104 (d) Areas designated R16 or R18, including such areas with the Performance Development
105 overlay, except as shown in the map below **[insert map of A and S overlay areas]**:

106 (4) Detached accessory dwelling units and detached accessory structures containing an ADU are a
107 permitted use in those areas where internal ADUs are permitted under this Section.

108

109 **14.30.0230 Use in Combination. Accessory Dwelling Unit (ADU)**
110 **Development Standards**

111 ~~(1) The overlay zones described in this Chapter may be used only in combination with other zones~~
112 ~~as follows:~~

113 ~~(a) The Supplementary Residential (S) overlay zone may be used only in combination with the~~
114 ~~One-Family Residential (R1) zone.;~~

115 ~~(b) The Accessory Apartment (A) overlay zone may be used only in combination with the~~
116 ~~Agricultural (A1), Residential Agricultural (RA), or One-Family Residential (R1) zones.~~

117 ~~(2) The provisions of the overlay zones shall be supplementary to the provisions of the zone with~~
118 ~~which it is combined. If conflict arises between the provisions of the overlay zones and the provisions~~
119 ~~of the R1 zone with which it is combined, the provisions of the overlay zones shall be deemed~~
120 ~~controlling. The overlay zones shall not be applied to any land area as an independent zone.~~

121 ADUs shall be subject to the following development standards:

122 (1) *Number.* No more than one (1) ADU shall be permitted in conjunction with each one-family
123 detached dwelling.

124 (2) *Location.* ADUs may be located only:

125 (a) Over an attached garage, provided the ADU has access to required parking and does
126 not otherwise disrupt required covered parking;

127 (b) Inside a one-family detached dwelling;

128 (c) In an addition to a one-family detached dwelling, provided that the addition will not alter
129 the one-family character of the building; or

130 (d) As a detached accessory structure or within a detached accessory structure located in
131 the rear and/or side yard in accordance with the following requirements:

132 (i) The accessory structure in which the ADU is located shall have a building footprint
133 and height less than the main dwelling, but in no case shall the accessory structure be
134 less than two hundred (200) square feet in area;

135 (ii) A detached ADU or a detached accessory structure containing an ADU shall be set
136 back from any property line no less than ten (10) feet or the distance of the existing
137 setback of the one-family dwelling from that same property line, whichever is less;

138 (iii) The accessory structure shall be architecturally compatible with the main dwelling;

139 (iv) The accessory structure shall be permanently affixed to a site-built foundation and
140 shall be designed in accordance with Provo City adopted building codes;

141 (v) The accessory structure must be approved for, and permanently connected to, all
142 required utilities with a connection and meter independent and separate from the one-
143 family dwelling; and

144 (vi) Shipping containers shall not be permitted for use as an ADU unless they can meet
145 all building codes and are clad with materials similar to and architecturally compatible
146 with those of the main dwelling.

147 (3) *Appearance.* The ADU shall not alter the appearance of the structure as a one-family
148 detached dwelling and shall not resemble in any degree a side-by-side, side-to-back, back-to-
149 back, or other type of two-family dwelling. There shall be no external evidence from a street
150 view of occupancy by more than one (1) family, such as two (2) front doors on the main
151 dwelling. The yard areas of the property shall be maintained free of weeds, junk, solid waste, or
152 other materials constituting a violation of the Provo City Code. An ADU shall not be authorized
153 on a property that has outstanding ordinance violations.

154 (4) *Occupancy.* A one-family dwelling with an ADU, which is authorized by and conforms to the
155 requirements set forth in this Section, shall, for purposes of this Subsection, consist of two (2)
156 component parts: the main dwelling unit and the ADU. Those two parts shall be occupied as
157 follows:

158 (a) Except as otherwise provided in Subsection (4)(d) of this Section, either the main
159 dwelling unit or the ADU must be occupied by an owner occupant as that term is defined in
160 Section 14.06.020, Provo City Code. If this requirement is not met, no ADU shall be
161 permitted.

162 (b) The occupancy of the main dwelling unit shall be limited to one (1) "family" as that term
163 is defined in Chapter 14.06, Provo City Code, except that if the ADU is also occupied, the
164 occupancy of the main dwelling unit may not include the two (2) additional related or
165 unrelated individuals described in Subsection (b)(i)(B) of the "Family" definition in Section
166 14.06.020, Provo City Code.

167 (c) The ADU shall not be occupied by more than two (2) related or unrelated adults,
168 together with any minor children of those adults.

169 (d) Owner occupancy shall not be required when the owner has submitted a temporary
170 absence application prior to beginning of the temporary absence and meets the following
171 criteria:

172 (i) The owner has a bona fide, temporary absence of three (3) years or less for
173 activities such as temporary job assignments, sabbaticals, military service, or voluntary

174 service (indefinite periods of absence from the dwelling shall not qualify for this
175 exception); or

176 (ii) The owner is placed in a hospital, nursing home, assisted living facility or other
177 similar facility.

178 (iii) The owner has resided in the residence for at least one (1) year prior to beginning
179 the temporary absence.

180 (5) *Parking.* A one-family dwelling with an ADU shall have at least four (4) off-street parking
181 spaces. Two (2) tandem parking spaces (front to rear) shall be permitted when the front and
182 back spaces are both designated to serve either the ADU or the principal part of the dwelling
183 unit. Parking spaces for a one-family dwelling with an associated ADU may be located on a
184 driveway in a required front yard, provided the driveway leads to the minimum number of
185 required covered off-street parking spaces. In no case shall the number of off-street parking
186 spaces be less than the number of vehicles being maintained on the premises. Parking shall
187 comply with all other regulations of Chapter 14.37, Provo City Code.

188 (6) *Utility Meters.* A one-family dwelling with an internal ADU shall have at least one (1) but no
189 more than two (2) meters for each water, gas, and electricity utility service, and each meter shall
190 be in the property owner's name. A detached ADU or a detached accessory structure containing
191 an ADU must have its own separate meter, and each meter shall be in the property owner's
192 name.

193 (7) *Addresses.* The ADU shall have its own address assigned by Provo City.

194 (8) *Outside Entrances.* Outside entrances to the ADU shall be on the side or rear of the building.
195 Only one (1) front entrance shall be visible from the front yard.

196 (9) *Internal Connections.* To the extent that such a requirement is not prohibited by the laws of
197 the state of Utah, ADUs located inside a one-family detached dwelling or in an addition to a one-
198 family detached dwelling must have an internal connection between the ADU and the principal
199 part of the dwelling.

200 (10) *Building Codes.* All existing construction and remodeling shall comply with building codes in
201 effect at the time of the original construction or remodeling. Newly constructed ADUs shall meet
202 current building codes.

203 (11) *Rental Dwelling License.* In accordance with Chapter 6.26, Provo City Code, any person
204 operating an ADU under this Chapter shall obtain a rental dwelling license (RDL). Such license
205 shall be in addition to any building permits that may be necessary. Before a rental dwelling
206 license for an ADU is issued, the applicant shall:

207 (a) Submit a site plan drawn accurately to scale that shows property lines and dimensions,
208 the location of existing buildings and building entrances, proposed buildings or additions,
209 dimensions from buildings or additions to property lines, the location of parking stalls, and
210 utility meters.

211 (b) Include detailed floor plans drawn to scale with labels on rooms indicating uses or
212 proposed uses. Floor plans must have the interior connection clearly labeled.

213 (c) Pay an application fee as shown on the Consolidated Fee Schedule adopted by the
214 Municipal Council.

215 (d) Noncompliance with the standards of this Section shall be just cause for the denial or
216 revocation of a rental dwelling license for an ADU. Revocation shall be in accordance with
217 the license regulations in Chapters 6.01 and 6.26, Provo City Code.

218 (e) Notwithstanding Section 6.01.090, Provo City Code, the approval of a rental dwelling
219 license for an ADU shall automatically expire one (1) year after the date of the approval, or
220 upon transfer of the property to another owner, whichever occurs first; provided, however,
221 that the existing owner may reapply or the new owner may apply for an extension of such
222 rental dwelling license.

223 (f) The owner shall cooperate with the Department of Development Services or their
224 designee in recording a deed restriction with the County Recorder evidencing the
225 restrictions under which the ADU is constructed and occupied. This deed restriction shall
226 run with the land as long as the property contains an ADU as provided in this Chapter.

227 (g) The owner shall renew the Rental Dwelling License annually and confirm that the
228 dwelling is the owner's primary residence by providing at least two of the following forms of
229 verification: a current driver license, current vehicle registration, voter registration card, last
230 filed state tax return, and/or last filed federal tax return.

231

232 **14.30.030**

233 **Permitted Uses.**

234 ~~(1) Permitted Principal Uses. Principal uses permitted in the overlay zones described in this~~
235 ~~Chapter shall be limited to the following:~~

236 ~~(a) Those uses listed as permitted principal uses in the underlying zone with which the overlay~~
237 ~~zone has been combined in accordance with Section 14.30.020, Provo City Code; and~~

238 ~~(b) Accessory apartments which meet the development standards of Subsection (2) of this~~
239 ~~Section, with a valid rental dwelling license.~~

240

241

242

243 ~~(2) Accessory Apartment Development Standards. Accessory apartments shall be subject to the~~
244 ~~following development standards:~~

245 ~~(a) Number. No more than one (1) accessory apartment shall be permitted in conjunction with~~
246 ~~each one-family dwelling.~~

247 ~~(b) Location. Accessory apartments may be located only:~~

248 ~~(i) Over an attached garage, provided the accessory living space has an internal~~
249 ~~connection to the garage and does not otherwise disrupt required covered parking;~~

250 ~~(ii) Inside a one-family detached dwelling by means of an internal conversion that~~
251 ~~maintains an internal connection between living areas;~~

252 ~~(iii) In an addition to a one-family detached dwelling that has an internal connection~~
253 ~~between the accessory apartment and the principal part of the dwelling unit; provided, that~~
254 ~~the addition will not alter the one-family character of the building; or~~

255 ~~(iv) As a detached accessory structure or within a detached accessory structure located in~~
256 ~~the rear yard in accordance with the following requirements:~~

257 ~~(A) A detached accessory living space shall be permitted only on lots that contain a~~
258 ~~one-family detached dwelling with a minimum lot size of six thousand (6,000) square~~
259 ~~feet;~~

260 ~~(B) The accessory structure in which the accessory apartment is located shall have a~~
261 ~~building footprint and height less than the main dwelling, but in no case shall the~~
262 ~~accessory structure be taller than twenty (20) feet nor less than two hundred (200)~~
263 ~~square feet in area;~~

264 ~~(C) A detached accessory apartment or a detached accessory structure containing an~~
265 ~~accessory apartment shall be set back from any property line no less than ten (10) feet~~
266 ~~or the distance of the existing setback of the one-family dwelling from that same~~
267 ~~property line, whichever is less;~~

268 ~~(D) The accessory structure shall be architecturally compatible with the main dwelling;~~

269 ~~(E) The accessory structure shall be permanently affixed to a site-built foundation and~~
270 ~~shall be designed in accordance with Provo City adopted building codes;~~

271 ~~(F) The accessory structure must be approved for, and permanently connected to, all~~
272 ~~required utilities; and~~

273 ~~(G) Shipping containers shall not be permitted for use as an accessory apartment~~
274 ~~unless they can meet all building codes, and are clad with materials similar to and~~
275 ~~architecturally compatible with those of the main dwelling.~~

276 ~~(c) Appearance. The accessory apartment shall not alter the appearance of the structure as a~~
277 ~~one-family dwelling, and shall not cause the dwelling unit within which the accessory apartment~~
278 ~~is located to resemble in any degree a side-by-side, side-to-back, back-to-back, or other type of~~
279 ~~two-family dwelling. There shall be no external evidence from a street view of occupancy by~~
280 ~~more than one (1) family, such as two (2) front doors on the main dwelling. The yard areas of~~
281 ~~the property shall be maintained free of weeds, junk, solid waste or other materials constituting~~
282 ~~a violation of the Provo City Code. An accessory apartment shall not be authorized on a~~
283 ~~property that has outstanding ordinance violations.~~

284 ~~(d) Occupancy. A one-family dwelling with an accessory apartment, which is authorized by and~~
285 ~~conforms to the requirements set forth in this Section, shall, for purposes of this Subsection,~~
286 ~~consist of two (2) component parts: the one-family dwelling and the accessory apartment. Those~~
287 ~~two parts shall be occupied as follows:~~

288 ~~(i) Except as otherwise provided in Subsection (2)(d)(iv) of this Section, either the one-~~
289 ~~family dwelling or the accessory apartment shall be the owner's primary residence as~~
290 ~~defined in Chapter 14.06, Provo City Code. If this requirement is not met, no accessory~~
291 ~~apartment shall be permitted.~~

292 ~~(ii) The occupancy of the one-family dwelling shall be limited to one (1) "family" as that~~
293 ~~term is defined in Chapter 14.06, Provo City Code, except that if the accessory apartment is~~
294 ~~also occupied, the occupancy of the one-family dwelling may not include the two (2)~~
295 ~~additional related or unrelated individuals described in Subsection (b)(i)(B) of the "Family"~~
296 ~~definition in Section 14.06.020, Provo City Code.~~

297 ~~(iii) Except as permitted by Subsection (4) of this Section, the accessory apartment shall~~
298 ~~not be occupied by more than two (2) related or unrelated adults, with or without minor~~
299 ~~children.~~

300 ~~(iv) Owner occupancy shall not be required when the owner has submitted a temporary~~
301 ~~absence application prior to beginning the temporary absence and meets the following~~
302 ~~criteria:~~

303 ~~(A) The owner has a bona fide, temporary absence of three (3) years or less for~~
304 ~~activities such as temporary job assignments, sabbaticals, military service, or voluntary~~
305 ~~service (indefinite periods of absence from the dwelling shall not qualify for this~~
306 ~~exception); or~~

307 ~~(B) The owner is placed in a hospital, nursing home, assisted living facility or other~~
308 ~~similar facility.~~

309 ~~(C) Owner occupancy shall have the meaning set forth in Section 14.06.020, Provo~~
310 ~~City Code.~~

311 ~~(D) The owner has resided in the residence for at least one (1) year prior to beginning~~
312 ~~the temporary absence.~~

313 ~~(e) *Parking.* A one-family dwelling with an accessory apartment shall have at least four (4) off-~~
314 ~~street parking spaces. Two (2) tandem parking spaces (front to rear) shall be permitted when~~
315 ~~the front and back spaces are both designated to serve either the accessory apartment or the~~
316 ~~principal part of the dwelling unit. In no case shall the number of off-street parking spaces be~~
317 ~~less than the number of vehicles being maintained on the premises. Parking in the front setback~~
318 ~~is prohibited unless the driveway leads to required covered parking. Parking shall comply with~~
319 ~~all other regulations of Chapter 14.37, Provo City Code.~~

320 ~~(f) *Utility Meters.* A one-family dwelling with an accessory apartment shall have one (1) but no~~
321 ~~more than two (2) meters for each water, gas, and electricity utility service, and each meter shall~~
322 ~~be in the property owner's name.~~

323 ~~(g) *Addresses.* The accessory apartment shall have its own address.~~

324 ~~(h) *Outside Entrances.* Outside entrances to the accessory apartment shall be on the side or~~
325 ~~rear of the building. Only one (1) front entrance shall be visible from the front yard.~~

326 ~~(i) *Building Codes.* All existing construction and remodeling shall comply with building codes in~~
327 ~~effect at the time of the original construction or remodeling. Newly constructed accessory~~
328 ~~apartments shall meet current building codes.~~

329 ~~(j) *Kitchens.* A one-family dwelling with an accessory apartment is permitted two (2) kitchens;~~
330 ~~one (1) for the principal part of the dwelling and one (1) for the accessory apartment. No other~~
331 ~~kitchens, wet bars or other food preparation areas are permitted. Refer to Chapter 14.06, Provo~~
332 ~~City Code, Interpretation and Definitions, "Kitchen," for the definition of what constitutes a~~
333 ~~kitchen per the Provo City Code.~~

334 ~~(k) *Rental Dwelling License.* In accordance with Chapter 6.26, Provo City Code, any person~~
335 ~~operating an accessory apartment under this Chapter shall obtain a rental dwelling license~~

336 ~~(RDL). Such license shall be in addition to any building permits that may be necessary. Before a~~
337 ~~rental dwelling license for an accessory apartment is issued, the applicant shall:~~

338 ~~(i) Submit a site plan drawn accurately to scale that shows property lines and dimensions,~~
339 ~~the location of existing buildings and building entrances, proposed buildings or additions,~~
340 ~~dimensions from buildings or additions to property lines, the location of parking stalls, and~~
341 ~~utility meters.~~

342 ~~(ii) Include detailed floor plans drawn to scale with labels on rooms indicating uses or~~
343 ~~proposed uses. Floor plans must have the interior connection clearly labeled.~~

344 ~~(iii) Pay an application fee as shown on the Consolidated Fee Schedule adopted by the~~
345 ~~Municipal Council.~~

346 ~~(iv) Noncompliance with the standards of this Section shall be just cause for the denial or~~
347 ~~revocation of a rental dwelling license for an accessory apartment. Revocation shall be in~~
348 ~~accordance with the license regulations in Chapters 6.01 and 6.26, Provo City Code.~~

349 ~~(v) Notwithstanding Section 6.01.090, Provo City Code, the approval of a rental dwelling~~
350 ~~license for an accessory apartment shall automatically expire one (1) year after the date of~~
351 ~~the approval, or upon transfer of the property to another owner, whichever occurs first;~~
352 ~~provided, however, that the existing owner may reapply or the new owner may apply for an~~
353 ~~extension of such rental dwelling license.~~

354 ~~(vi) The owner shall cooperate with the Department of Community and Neighborhood~~
355 ~~Services in recording a deed restriction with the County Recorder evidencing the~~
356 ~~restrictions under which the accessory apartment unit is constructed and occupied. This~~
357 ~~deed restriction shall run with the land as long as the property is in an overlay zone~~
358 ~~described in this Chapter, or otherwise contains an accessory apartment as provided in this~~
359 ~~Chapter.~~

360 ~~(l) *Minimum Unit Size.* An accessory apartment located within a one-family detached dwelling~~
361 ~~is only permitted if the one-family detached dwelling, not including the accessory apartment, is~~
362 ~~no smaller than one thousand two hundred (1,200) square feet.~~

363 ~~(m) *Bedrooms.* An accessory apartment shall not have more than two (2) bedrooms, except~~
364 ~~that an accessory apartment for which a conditional use permit has been granted under~~
365 ~~Subsection (4) of this Section to allow occupancy by no more than four (4) related or unrelated~~
366 ~~adults may have no more than four (4) bedrooms.~~

367 ~~(3) *Permitted Accessory Uses.* Accessory uses permitted in the overlay zones shall be limited to~~
368 ~~those uses listed as permitted accessory uses in the underlying zone with which the overlay zone~~
369 ~~has been combined in accordance with Section 14.30.020, Provo City Code.~~

370 ~~(4) Rental Dwelling License for Additional Occupancy. In the Supplementary Residential (S) overlay~~
371 ~~zone only, a rental dwelling license may be issued allowing occupancy of an accessory apartment by~~
372 ~~no more than four (4) related or unrelated adults, with or without minor children as provided in this~~
373 ~~Subsection.~~

374 ~~(a) Such license may be issued if, and only if, the following requirements are met:~~

375 ~~(i) The applicant meets the parking requirements of Subsection (2)(e)(5) of this Section,~~
376 ~~including particularly the requirement that the number of off-street parking spaces may not~~
377 ~~be less than the number of vehicles being maintained on the premises at any time;~~

378 ~~(ii) The accessory living space is not located on the ground floor of the associated one-~~
379 ~~family dwelling; and~~

380 ~~(iii) The owner of the one-family dwelling does not reside in the accessory living space.~~

381 ~~(b) Failure to meet any of the requirements of this Subsection is grounds for revocation of the~~
382 ~~license.~~

383 ~~14.30.040~~

384 ~~Development Standards.~~

385 ~~Each one-family dwelling with an accessory apartment shall conform to the development standards~~
386 ~~required by the provisions of the underlying zone, or with which the overlay zone is combined.~~

387 ~~14.30.050~~

388 ~~Area of Zone.~~

389 ~~An overlay zone described in this Chapter may only be applied to a contiguous land area of at least~~
390 ~~four (4) acres that contains at least sixteen (16) existing dwelling structures and that is at least fifty~~
391 ~~percent (50%) developed. The land area to which any overlay zone described in this Chapter is~~
392 ~~applied shall be free from islands or peninsulas or any other unreasonable boundary line~~
393 ~~configurations. Additions to an existing overlay zone are allowed so long as the resulting contiguous~~
394 ~~land area of an overlay conforms to all provisions of this Section.~~

395 ~~14.30.060~~
396 ~~Petition for Zone Adoption.~~

397 ~~14.30.070~~
398 ~~Parking Requirements.~~

399 ~~14.30.080~~
400 ~~Nonconforming Uses.~~

401 ~~14.30.090~~
402 ~~Termination of Nonconforming Uses -- Recovery of Investment.~~

Provo City Zoning - R16 and R18 Areas Permitting ADUs

