



COMMUNITY
DEVELOPMENT
TEL 801 852 6400
330 W 100 S
PO BOX 1849
PROVO, UT 84603

Common Zoning Complaints

There are many conditions on a property that may be in violation of Provo City's Zoning, Land Use and Development, Health and Sanitation, Business Licensing or other ordinances. Some conditions are more common than other and some are more noticeable than others.

Complaints may be reported by calling Customer Service at 311, calling the Community Development Department directly at (801)852-6400 or by visiting our website at www.Provo.org.

Following are the most common zoning violations:

1. Junk, Trash, Weeds, Inoperable Vehicles – Section 14.34.080, Provo City Code, provides a description of violations that fall into this general category. More than 2 inoperable vehicles, which include unlicensed, unregistered vehicles, or vehicle parts, stored on private property in open areas, constitute a zoning violation. Inoperable vehicles parked on the street will be referred to the non-emergency Police Dispatch office at (801)852-6211 for enforcement.

Junk, trash, scrap materials and other miscellaneous household furniture or appliances are not permitted to be stored in the open area of private property and would constitute a zoning violation.

On vacant lots, weeds that are more than 12 inches high may constitute a fire hazard. They must be trimmed and all clippings removed. If the lot has a home or other building on it, it is subject to Section 15.20 for landscaping. Landscaping must be maintained in a neat, healthy manner including watering, mowing and weeding.

2. Rental Dwelling Licenses – In Provo, all properties that are not occupied by the owner of record are considered rental properties and must be licensed by the City. Section 6.26, Provo City Code, governs rental properties and has listed minimum health and safety requirements and parking requirements required for rental properties. A property that is being loaned, leased or rented,

whether or not there is a monetary exchange, is considered a rental. This also includes a property where the property owner's adult children are the tenants.

3. Occupancy – The rules for occupancy are zone and property specific; that is to say one property may have an approved occupancy of one family or 6 singles and another property on the next street may have an occupancy of one family or 3 singles. There are even some properties which may have units that can have one family or 3 singles while other units are restricted to one family or 2 singles. The best way to determine whether a property is compliant with the City's ordinances is to call the Community Development Department at (801)852-6400 and ask to speak with a zoning officer. If a person is a prospective buyer, they can contact us for a Zone Verification which would then give them the legal use of the property, the occupancy and the number of legal parking spaces for a fee of \$25.00.

One-family dwellings with additional kitchens and/or accessory apartments can also be an area of concern. If the home is a one-family dwelling with more than one kitchen, the occupancy will be restricted to one family or 3 singles. People sometimes refer to homes like this as having a “mother-in-law apartment”. The area that has the additional kitchen would not be considered to be a separate unit from the main dwelling and would not be provided a second electrical meter or a separate address.

If the home has an accessory or supplementary apartment, it must be legally established which would ensure that it meets health and safety and parking requirements and that there is an interior connection between the main dwelling unit and the apartment.

One unit must be owner occupied by the owner of record.

Accessory apartments are permitted in zones with (A) at the end of the zone designation, such as R1.6(A), or in the RC (Residential Conservation) zone. Supplementary apartments are located in zones with (S) at the end of the zone designation, such as R1.8(S). There are some differences between an accessory apartment and a supplementary apartment. You can read Section 14.46 for accessory apartment requirements or Section 14.30 for supplementary apartment requirements.

4. Home Occupations – Many people have small businesses that they run from their homes. This requires a Business License/Minor Home Occupation. Section 14.41 governs home occupations. Some of the conditions are: a. No outside employees, b. No advertising, either signs on the property or on vehicles, c. Only 1 vehicle of a maximum 1-ton gross vehicle weight shall be used and it must be garaged, d. Delivery of goods must be by passenger motor vehicle or by parcel or letter carrier using vehicles typically employed for residential deliveries, e. the residential nature of the premises must not be altered, f. no more than 2 customers per hour may come to the premises, g. if it is a daycare or preschool, no more than 6 children may attend (not counting the owner’s children).

A Major Home Occupation is also available; however, the applicant must then undergo a Conditional Use Permit review. Major Home Occupations may allow an outside employee, a larger vehicle provided it is parked on the premises and screened from view, if it is a daycare or preschool up to 12 children may attend, and up to 6 customers per hour may come to the premises.

A public hearing is not always held for a Major Home Occupation. In the ordinance, an applicant may have all property owners within 300 feet of the premises sign a petition in support of the Major Home Occupation. The applicant can then forego a public hearing and the payment of the Conditional Use Permit fee.

5. Nuisances – are conditions that affect an area/neighborhood with visual blight, a harborage for rodents, is offensive to the senses, impairs the reasonable and lawful use of property, affects the health and/or safety of one or more persons, is a fire hazard, etc. Many nuisances can also be categorized under other sections of the City’s ordinance. Nuisances are addressed similarly to other violations.