



Staff Report

To: Francis City Planning Commission

From: Katie Henneuse

Report Date: April 13, 2022

Meeting Date: April 21, 2022

Title: Construction Waste

Type of Item: Code Text Amendment

Executive Summary:

The City receives many complaints every year about construction site trash, especially in the spring and summer. In an effort to encourage builders to keep construction sites clean and to reduce the amount of trash that blows onto neighboring properties, the Mayor advised staff to propose an ordinance requiring construction sites to be kept clean and to set fines for general contractors who violate the ordinance.

Staff Recommendation:

Review the proposed code, suggest changes if needed, and send a recommendation to the City Council.

Community Review:

A public hearing is required for this item. Adequate notice of the public hearing was given.

Exhibit A Ordinance 2022-

Title 8 HEALTH AND SAFETY

8.20 Construction waste.

1. Purpose

The purpose of this section is to require General Contractors to contain construction waste within dumpsters and to prohibit General Contractors from littering neighboring properties with construction site waste.

2. Definitions

“Fine” means monetary payment to Francis City as a penalty for violation of this section, added to the cost of the building permit, due before issuance of a Certificate of Occupancy for any project managed by the violating General Contractor.

“General Contractor” means the person who is responsible for overseeing a construction project and who manages the various subcontractors, vendors, and trades, i.e., the licensed General Contractor or the property owner acting as their own contractor.

“Litter” means waste left lying about.

“Stop Work Order” means an order issued by the City which requires all construction activity on the project to be stopped.

“Waste” means all trash, refuse, and rejected matter and material, including food containers and personal items.

“Construction Site” means the site of a project related to new construction, renovation, remodel, landscaping, or any project for which a building permit has been issued.

3. Regulations and Prohibitions

General Contractors are responsible for keeping their construction sites clean and free of litter. Waste shall be picked up daily by the General Contractor or their designee and placed within dumpsters. It is prohibited to litter construction sites with waste. Dumpsters shall be emptied as needed so that waste does not extend past the top of the dumpster or blow out of the dumpster. It is prohibited to place waste

from a construction site on neighboring property(s). If waste from a construction site blows onto a neighboring property(s), it shall be collected by the General Contractor or their designee and disposed of in a dumpster on the construction site.

4. Enforcement and Penalties

Enforcement may proceed as follows if the City becomes aware of a violation of this section:

- a. **Warning.** If the code enforcement officer or the building inspector determines that a violation exists, a verbal or written warning shall be given to the General Contractor to make them aware of this ordinance. The General Contractor shall be given a minimum of 72 hours after receipt of the Warning to remedy the violation before the First Violation is issued.
- b. **First Violation.** If the code enforcement officer or building inspector determines that there is a subsequent violation of this section by the same General Contractor within one calendar year of the Warning, a fine of \$150 shall be assessed to the General Contractor and a written violation letter shall be hand delivered, mailed, or emailed to the General Contractor. The General Contractor shall be given a minimum of 72 hours after receipt of the First Violation letter to remedy the violation before the Second Violation is issued.
- c. **Second Violation.** If the code enforcement officer or building inspector determines that there is a subsequent violation of this section by the same General Contractor within one calendar year of the First Violation, a fine of \$300 shall be assessed to the General Contractor and a written violation letter shall be hand delivered, mailed, or emailed to the General Contractor. The General Contractor shall be given a minimum of 72 hours after receipt of the Second Violation letter to remedy the violation before the Stop Work Order is issued.
- d. **Stop Work Order.** If the code enforcement officer or building inspector determines that there is a subsequent violation(s) of this section by the same General Contractor within one calendar year of the Second Violation, a Stop Work Order shall be issued to the General Contractor. The Stop Work Order shall only be lifted after the General Contractor demonstrates they are in compliance with this section and after a minimum of 72 hours.



Staff Report

To: Francis City Planning Commission

From: Katie Henneuse

Report Date: April 13, 2022

Meeting Date: April 21, 2022

Title: Apartment and Reciprocal Parking

Type of Item: Code Text Amendment

Executive Summary:

In light of a development proposal in the City Center zone and to encourage development in the City Center and Commercial zones, the City Council advised staff to propose a code text amendment to reduce parking requirements for smaller apartments and to create a reciprocal parking code.

Staff Recommendation:

Review the amended code, suggest changes if needed, and send a recommendation to the City Council.

Community Review:

A public hearing is required for this item. Adequate notice of the public hearing was given.

Exhibit A Ordinance 2022-

Chapter 18.100 OFF-STREET PARKING

18.100.070 Mixed or combined parking uses.

In the case of mixed uses on the same site the amount of off-street parking spaces required shall be the sum of the parking required under this chapter for the principal use together with a reasonable amount for all accessory uses. A reasonable amount shall be determined in light of the uses, location and circumstances of the building or structure and in consideration of the provisions of this title.

Up to 25 percent of non-residential parking facilities required by this chapter for a use considered to be primarily a day-time use may be provided by the parking facilities for a use considered to be primarily a night-time use. Such reciprocal parking areas shall be contiguous, and the joint use of such facilities must be assured by covenant of the owner(s) of said properties and recorded in the Summit County Recorder's office. The planning commission may, upon application by the owner or lessee of any property, authorize the joint use of parking facilities under the conditions specified herein.

18.100.100 Specific requirements by use.

Minimum on-site and off-street parking spaces for individual or similar uses shall be provided for in accordance with Table 1 as follows and as interpreted by the Planning Commission for uses not specific to those listed in the following table.

Uses	Parking Requirement
Dwelling, Single-Family	3 spaces per dwelling unit
Dwelling, Two-Family	3 spaces per dwelling unit
Dwelling, Multifamily 3+ Bedrooms	3 spaces per dwelling unit
Dwelling, Multifamily Studio, 1 Bedroom, 2 Bedroom	2 spaces per dwelling unit

Notes on the General Plan from Planning Commission 3/17/22

- Maintain a rural feel
- Better describe “overwhelming benefit” for annexation and zone changes
- Keep objectives clear, put details in appendices
- Manage demand for growth
- Priority is on developing the city center and commercial zones, require those to grow at a faster pace than residential
- Maintain community identity; support the community that is already here
- Address affordable housing
- Prioritize conservation subdivisions
- Consider eliminating multi-family zone
- Add a trails element or a recreation element, consider adding a trails impact fee
- Roads – coordinate planning with UDOT, alternative routes, sidewalks
- Address water issues