



OFFICE OF THE MAYOR  
BYRON L. AMES

August 5, 2019

**An Open Letter to the Residents of Francis City from the Mayor**

Dear Residents of Francis City,

Recently, some Francis residents as well as some property owners in the greater Kamas Valley community have been passing many of their own perceptions as fact, while providing no context and no concrete information to support those assertions other than opinions. These actions are not productive for our City. I provide the following information to allow the community to fully understand the reasoning and intentions behind recent decisions made by me, as Mayor, and the City Council. The following will also address the current state of the City and where and why I and a majority of the City Council have voted in favor of recent annexation petitions.

This will take time to review but I ask that you spend the time as this information is helpful to the residents of Francis to enable discussion of these issues in a civil manner at our next City Council Meeting on August 8, 2019. Thank you for your interest and your time in reviewing this information.

**1. LOW PROPERTY TAXES**

A. Our residents have low property taxes and they want to keep them that way. We have consistently heard from residents over the years that they do not want any property tax increase. Over the last several years the City has dealt with sewer pond capacity issues, future growth and property rights issues, water pumping capacity issues, and other costly challenges all without raising taxes. We will continue to make every effort to keep property taxes low.

**2. FRANCIS CITY WATER**

A. In 2018 the City instituted summer water restrictions – those restrictions were never lifted and are still in effect.

1. Why? The aquifer from which our water comes has plenty of water in it. We had a near record water year in 2018-2019, so why the restrictions?
  - a. In 2016, the City of Francis had two wells and one natural spring to provide water to our residents. The natural spring was deemed “surface influenced” by the State Water Engineer in 2016 and removed as a source of drinking water (it was treated and was never unsafe for consumption). It would cost at least \$200,000.00 to attempt to rehabilitate the spring, but there is no guarantee that this investment would restore it to meet current state culinary water requirements.
  - b. The loss of the natural spring as a water source means that the City’s ability to refill our water storage tanks was diminished by 90 gallons per minute.
  - c. We recently had a single water user in Francis consume 270,000 gallons of water over a three-day period. We are working with the high-water user to prevent this water abuse in the future.
  - d. In the last two weeks we identified and repaired a significant leak in the City water system. It has since been repaired.
  - e. The City does not have a water shortage, just a limited capacity to refill the storage tanks. We are working on this and have a plan to resolve it. We are already planning on replacing one pump with a higher capacity pump to increase our ability to refill the tanks at a faster rate. It is challenging to do that during the peak water season without creating an interruption in water availability.
  - f. All landscape and water experts agree that there is no need to water our lawns and plants (except for new plantings) every day. In fact, it is healthier for the plants to not be watered daily. Just because we have water does not mean we have to use it. Why not conserve?

### **3. DEVELOPMENT IN GENERAL**

- A. DEVELOPMENT MUST PAY FOR ITSELF. This is required under Utah Law. Taxpayers cannot provide residential developers with incentives or breaks to accommodate their developments.
- B. Annexations allow the City to exert their control and City code on the property rather than the County. The County does not have a sewer system, so all homes developed in the County would be on septic systems. The more septic systems we have in the Valley, the greater the risk to contamination of the underground aquifers.
- C. Francis City treats all development according to its code. In 2016, Francis enacted an updated City Code. It is new. Being a very small city in a highly competitive job market, we have had turnover with our Planning Staff, in part due to our inability to pay higher wages. Are there hiccups occasionally? Yes, but Francis has operated and will continue to operate pursuant to the mantra, “Follow the Code.”
- D. The City of Francis does not have any right to prevent a property owner from selling their property to a developer. As long as developers comply with City Code, the City has no alternative but to grant those approvals.

- E.** When density comes up, the City is constantly thinking about water, sewer, utility, roads, parks, and other impacts. A significant driver today is related to water infrastructure.
- F.** The City's General Plan is a guideline, not a controlling document; these are typically updated every 5-10 years to adapt to the changing variables in our community and neighboring areas. The annexation declaration area is part of the Francis City General Plan.
- G.** The only way to prevent all growth, is to prevent all property owners from selling their land to developers. The City doesn't have that authority, nor the funds to purchase all land in and around the City that goes up for sale.
- H.** After the Stewart Ranches annexation petition was filed and accepted for review by the City, City Staff proposed a conservation/residential clustering type of subdivision ordinance be adopted. This was reviewed and recommended for approval by the Planning Commission.
  - 1.** This type of conservation subdivision provides an incentive for the Developer to not develop all the land and to permanently leave a significant portion of the land (at least 50%) as open space forever.
  - 2.** Stewart Ranches is this type of development. The homes are on smaller lots and disturb a smaller portion of the otherwise available property that could have been developed in the County without any control or influence from the City.

#### **4. ANNEXATIONS OF STEWART RANCHES & HART RANCH**

- A.** The City has an annexation declaration area, which is a document/map that was recently modified that states the current thinking of the City's future area (the City Council can modify this area). This map includes adjacent properties to City boundaries that the City is open to annexing at the property owners' election. The City does not and cannot initiate annexations. These are all public meetings where everyone is welcome to attend and provide their input.
- B.** Stewart Ranches has been working through the annexation process for a few years. The City, including the Planning Commission, asked for and received several modifications from the developer regarding the initial plan for development. The Planning Commission voted to recommend approval of the annexation petition of Stewart Ranches. The City Council also voted to annex Stewart Ranches, but did not follow the Planning Commission's recommendation on the issue of density of the annexation.
  - 1.** All of this was done in open and public meetings.
  - 2.** In the Annexation Agreement, the developers are required to fulfill many obligations that will assist the City in adding much needed infrastructure for the City in general as well as infrastructure for the development itself. In addition, they agreed to pay annexation fees, which will likely be used to add water storage as well as aid in the costs for drilling a new well for all Francis residents' use. We are currently reviewing several options for increasing our water infrastructure without raising taxes.

3. The Developer is required to install approximately 1 mile of paved trails in the development for all residents of Francis to use. There is also a major portion of the site that is set aside as open space with a conservation easement; over 50% will never have homes on it – reducing the infrastructure costs (roads, water & sewer lines) and thus reducing future maintenance costs for the City (to keep property taxes low).
  4. Developers did not offer to donate land to the City. The City required the Developers to provide land for the tank and well site as part of the annexation agreement.
  5. The Developer is also being required to make certain road improvements in the area as well as upsizing a water supply pipe which the City needs to upsize anyway to provide adequate fire flow for our fire hydrants. All this is at the expense of the Developer, not the residents of Francis who would otherwise have to pay for these required improvements.
- C. Hart Ranch will have the same requirements imposed on it as Stewart Ranches. Development must pay for itself. They will be required to provide sufficient infrastructure for their own development. They will also provide infrastructure improvements for the city's needs as well as build a new park for the city at the developer's expense. The annexation fees in the annexation agreement are the same per lot as Stewart Ranches. These contractual fees will be used for the benefit of the City's residents for a variety of important needs not currently being met.

## **5. COMMERCIAL DEVELOPMENTS IN FRANCIS CITY**

- A. In 2016 Francis City adopted a new City Code which included new commercial code provisions.
1. The entire commercial code was new and implemented while the City had pending commercial applications filed prior to the implementation of the new commercial code. The new commercial code created challenges with pending applications submitted prior to the new code. The City worked through those challenges in an effort to balance the new code requirements with property owners' interests and grandfathered rights existing from prior to the enactment of the new commercial code.
  2. The City approved a Conditional Use Permit for Storage Units during that time.
    - a. It is the opinion of the adjacent property owners that the Storage Units are violating City Code and/or the Conditional Use Permit.
    - b. The City Staff has spent many hours working through the situation and is still trying to come to a resolution between the property owners.
  3. There will always be challenges with any type of growth, both Commercial and Residential.
  4. Francis City continues to review the Code and make important changes and clarifications as necessary.

**B. Francis City is required to follow State law.**

1. Land Use Applications: The City is required to grant approvals when property owners, including developers, submit plans that meet City Code.
2. There are nearly always disagreements in interpreting City Codes and State Laws. That is nothing new.

These are the facts, issues, limitations, and obligations which drive my decisions as the Mayor of Francis, as well as the decisions of the Francis City Council and Planning Commission. It is my duty as Mayor to look after the best interests of the City as a whole, not just the interests of a certain resident or group of residents. The decisions I make are with an awareness of the implications of those decisions upon the City and those who live here now and will live here in 50 years and beyond. Our City and the greater Kamas Valley is growing. That will continue to happen. My job is to make sure that growth occurs on terms that benefit and favor the City as much as possible. The City Council and I will continue to give our best efforts on behalf of the residents of Francis and this beautiful City we are lucky to call home.

On a side note, there are currently two vacant positions on the Francis Planning Commission. If you live in Francis and care about its future, I encourage you to submit an application (available on the City website: [www.FrancisUtah.org](http://www.FrancisUtah.org)) to fill one of the positions. I would look forward to serving next to you.

Sincerely,

*Byron L. Ames*

Francis City Mayor