

Before the Boundary Commission, St. Louis County, Missouri

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In re: Proposal of the City of Florissant)	
)	File No. BC0201
)	
)	Area 12 Proposal
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**Summary of Decision of the Boundary Commission, St. Louis County
November 19, 2002**

Summary of Facts:

The Boundary Commission, St. Louis County (the "Commission") considered the proposal submitted by the City of Florissant (the "City" or "Florissant") and the evidence presented and comments made at the public hearing held on October 22, 2002. Based on the foregoing, the Commission finds the following facts:

On August 21, 2002 a proposal requesting a simplified boundary change pursuant to Section 72.405, RSMo. (2000) (the "Official Submittal") by the City was submitted to the Commission at the office of its counsel, Hazelwood & Weber LLC, pursuant to the Rules of the Commission in effect as of May 4, 2000. The official submittal included the information required of proposals as found in Article V of the Rules of the Commission (the "Rules"). Additionally, the Official Submittal contained the information required under the Rules for simplified boundary change requests involving the annexation of unincorporated territory to a municipality through an annexation, as found in Article V.C.4. The Official Submittal satisfied one of the requirements for a simplified boundary change by submitting the signatures of seventy-five percent of the registered voters who voted in the last gubernatorial election. The City submitted 535 signatures, of which 499 were verified by the St. Louis County Election Board to be registered voters.

By letter dated August 26, 2002, the City responded to the Commission's August 23, 2002 request for clarification and supplementation of the Official Submittal. On October 22, 2002 a public hearing was conducted by the Commission based upon the Official Submittal, as supplemented.

The City is contiguous with Area 12 on the west and south. The area proposed for annexation consists of approximately One Hundred Fifty (150) acres. A map showing the location of the area proposed to be annexed is attached as Exhibit "A" and is the same map presented in the proposal by the City.

The City supplied the following demographic information regarding the area proposed for annexation:

BASIC ANNEXATION INFORMATION DATA	
Area	150.248 Acres
Population	922 (2000 Census)
Dwelling Units	336
Average Dwelling Units per three acres	6.72
Miles of Public Roads	Approximately 4.01 mi.

Area 12 does not have the characteristics that would require classification as an unincorporated pocket, as described in RSMo 72.407.1(2).

INFORMATION REGARDING ANNEXATION AREA AS AN UNINCORPROATED POCKET	
Criteria	Finding
Average residential density in excess of one dwelling per three acres.	The area has an average residential density greater than one dwelling unit per three acres.
Population of no more than 500 people.	The area has a population greater than 500 people.
Accessible by public or private roadway only from incorporated jurisdictions and/or another county.	The area is only accessible from incorporated jurisdictions and St. Louis County.

GEOGRAPHIC

City of Florissant Declarations:

The City of Florissant stated that single-family houses comprise approximately 92% of the land in Area 12. Commercial uses comprise approximately 8% of the land in the Area 12. Logical and well-defined boundary lines, leaving no pockets and clearly showing the limits of services to be offered by the City of Florissant and the County, characterize the annexation area.

The City's submission establishes that Area 12 is 27.5% contiguous to the City. The City noted that Area 12 is "common" to Florissant and that at least two (2) residential streets connect Area 12 and the City.

Regarding the compactness of the annexation area, Florissant's Official Submittal also established that the area is very accessible to City services. Because the Area is 27.5% contiguous to existing City boundary lines, the City can readily and routinely provide services from Helmkamp Dr., Derhake Rd. and Pohlman Rd.

Florissant stated that the annexation creates logical boundaries, particularly in that the annexation will permit extension of the City's boundaries to New Halls Ferry Road, a major natural boundary.

FINANCIAL

The Boundary Commission received the following evidence on the current tax rate of the area subject to the proposal and the sources of revenue of the area subject to the proposal:

The City established that the relevant tax rates before and after the change at the time of the submittal are:

Tax	Tax Rates	
	Current	After Annexation
Real Estate and Personal Property:		
County	\$0.58/\$100 assessed valuation	\$0.58/\$100 assessed valuation
Florissant Valley Fire District	\$0.966/\$100 assessed valuation	\$0.966/\$100 assessed valuation
Sales Tax (Local)	\$6.075	\$6.825
Utility Tax	\$.05	\$.03

Regarding the impact annexation would have on the tax base or the ability to raise revenue, Florissant stated that since Area 12 is relatively small in comparison to St. Louis County, the City's annexation of Area 12 will have a negligible impact on:

- a) The Area and its residents
- b) The City of Florissant and surrounding residents
- c) St. Louis County and its residents

The City provided the following projection of revenues and expenditures derived from the cost of providing service to the area to be annexed for a period from three years after annexation.

Revenues and Expenditures Derived from Annexation Area			
	Year 1	Year 2	Year 3
Revenues	\$264,850	\$264,850	\$264,850
Expenditures	\$264,850	\$264,850	\$264,850
Net Surplus (Deficit)	-0-	-0-	-0-

The City identified the following capital costs:

Proposed Capital Expenditures	
Street Repairs	\$388,155
ADA accessible curb cuts	\$32,280
Street Lights	\$77,000

The City's ½¢ Capital Improvement Sales Tax, which is estimated to generate \$52,554 per year for Area 12, will provide funds to make some of the anticipated capital improvements. The City concedes it will need to use additional revenues from other sources to perform all Area 12 projected capital improvement projects.

The City estimates that annexation of Area 12 would have the following effect on tax resources in St. Louis County:

Estimated Gross Revenue Loss to St. Louis County from Area 12 Annexation	
Cigarette Tax	\$3,494
Gasoline Tax	\$23,824
Road & Bridge Tax	\$11,408
Sales Tax	\$101,964
Utility Tax (5%)	\$25,000
Total	\$165,690

The City also conceded it does not presume to know the extraordinary impact of annexation of Area 12 on St. Louis County. Florissant stated that, because it is a "pool" city, and the annexation area is primarily residential and population determines tax distribution, Florissant feels increased revenue to the City is fair, appropriate and completely justifiable.

Florissant declared that it believes the St. Louis County Traffic Generation Trust Fund (TGA) does not exist in this area for commercial or residential development. The City does not have an ordinance or policy prohibiting future participation on the TGA.

SERVICES

Provision of Services in Annexation Area					
Service	Service Unchanged	Service Changed			
		Present Provider	Fee	New Provider	Fee
Police Services		St. Louis County	No	Florissant	No
Fire/EMS/ALS Service	No Change				
Water Service	No Change				
Sewer Service	No Change				
Street Maintenance		St. Louis County	No	Florissant	No
Utility Agreements		St. Louis County	No	Florissant	
Parks Service		St. Louis County	No	Florissant	Yes
Recreation Service		St. Louis County	No	Florissant	Yes
Refuse Service		Private Haulers	Yes	Private Haulers	Yes
Sidewalk Maintenance		St. Louis County	No	Florissant	No
Street Lighting		St. Louis County /Individual Cost	Yes	Florissant	No
Code Administration		St. Louis County	Yes	Florissant	
Planning and Zoning		St. Louis County	No	Florissant	No
Municipal Court		St. Louis County	No	Florissant	Yes
Health Service		St. Louis County	No	Florissant/St. Louis County	No

Florissant offered that residents of Area 12 would receive services from the City's Public Works Department on a equal basis and level as received by current City residents and that recreation and park fees would be lower for residents of the annexation area if Area 12 becomes part of Florissant. The City noted that its Police Department is one of only fourteen (14) such departments in the State of Missouri accredited by the Commission on Accreditation for Law Enforcement Agencies. Florissant stated that it offers free senior shuttle service and a range of other senior services

The City offered that all City services would be extended to Area 12 at the earliest possible date following approval of the annexation, said date to be established by the Commission.

ZONING AND LAND USE

The City offered the following description of land use for the area to be annexed:

Land Use: Area 12 Annexation	
Commercial	8%
Single-Family Residential	92%

The City presented the following evidence to the Boundary Commission regarding how the City proposes to zone Area 12.

Proposed Zoning – Area 12 Annexation			
County Zoning Classification	Proposed Florissant Zoning Classification	Proposed Zoning Classification: New or Existing	Timing for Transition
R-4 Residence	R-4 Single Family	Existing	
C-2 Shopping	B-2 Central Business	Existing	
C-3 Planned Commercial	B-3 Extensive Commercial	Existing	
C-8 Planned Commercial	B-5 Planned Commercial	Existing	

Florissant's submission establishes that the County's R-4 classification and Florissant's R-4 classification are identical. Florissant concludes that there will be little or no impact from the zoning and land use changes.

The City offered that Area 12 is not in a floodplain, historic district or neighborhood district. The City offered that the likelihood of significant growth or development in the annexation area is unlikely because 95%-98% of the property is already developed.

EFFECTIVE DATE

The City presented the following evidence to the Commission regarding the effective date of the boundary change:

Florissant will extend all services to the newly annexed area at the earliest allowable date and is prepared to begin the transition process immediately.

DECISION

The City of Florissant is the proposing agent as defined by §72.400(4) of the Revised Statutes of the State of Missouri and the Boundary Commission has jurisdiction over the proposal.

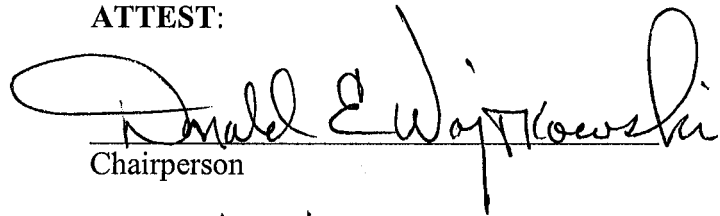
The boundary change sought by the municipality is an annexation governed by Chapter 72 RSMo.

Based upon the entire record, the Boundary Commission, St. Louis County, voted at an open public meeting on November 19, 2002 by a roll call vote, and the proposal was **APPROVED**. Those members voting for the proposal had the following reasons:

- A. The proposal is in the best interest of the municipality
- B. The proposal is in the best interest of the territory affected by the proposal.
- C. The proposal is in the best interest of the areas of the County next to such proposed boundary change.

The Commission finds that the annexation proposed by Proposal BC0201 is approved without a vote, as permitted by § 72.405.6(2) and the annexation shall take effect January 1, 2003.

ATTEST:


Chairperson

12/17/02
Date