

Before the Boundary Commission, St. Louis County, Missouri

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In re: Proposal of the City of Florissant) File No. BC0304
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) Area 13
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**Summary of Decision of the Boundary Commission, St. Louis County
April 27, 2004**

Summary of Facts:

The Boundary Commission, St. Louis County (hereinafter “Commission”), gathered the following facts:

On January 23, 2004, the City of Florissant (hereinafter “City”) submitted to the Commission, a proposal (hereinafter “Official Submittal”) requesting a boundary change, pursuant to those Rules of the Commission in effect as of October 23, 2001(hereinafter “the Rules”), and those Revised Statutes of the State of Missouri governing a Simplified Boundary Change. The Official Submittal contained the information required of the proposals as found in Article V.A of the Rules, and also contained the information required under the Rules for a Simplified Boundary Change involving a transfer of jurisdiction between a municipality and St. Louis County, as found in Article V.C.6.

Following completeness review by Commission staff and legal counsel, the City submitted to the Commission on February 4, 2004, certain revisions to the proposal, which were incorporated into the Official Submittal such that the Official Submittal then met all requirements to the Rules, as of February 4, 2004.. On March 23, 2004, the Commission conducted a public hearing based upon the Official Submittal, at the St. Louis Cristian College, Florissant, Missouri.

The area proposed for transfer consists of approximately twenty-five and five tenths (25.5) acres. A map showing the location of the area proposed is attached as Exhibit “A” and is the same map presented in the Official Submittal by the City. The legal description provided by the City as part of the Official Submittal is attached as Exhibit “B.” This area proposed to be transferred, was designated by the City in their Official Submittal, as “Area 13.” The Commission will use this designator in this Summary of Decision.

BASIC DATA REGARDING TRANSFER AREA	
Area	25.5 Acres
Population	6
Dwelling Units	2
Miles of Public Roads	1.13 mi.

As demonstrated by the following table, Area 13 does not contain all characteristics necessary for 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 less than one dwelling unit per three acres.
Population of no more than 500 people.	The area has a population of 6 people.
Accessible by public or private roadway only from incorporated jurisdictions and/or another county.	The area is accessible from incorporated jurisdictions and from St. Louis County.

GEOGRAPHIC

City of Florissant Declarations:

Area 13 is surrounded on three sides by the existing boundaries of the City of Florissant. The City borders Area 13 on the north, west and east. The legal description of the area to be transferred includes all street rights of way, including Dunn Road and I-270. The City will assume responsibility for street maintenance on Grandview Drive, which is currently maintained by St. Louis County. Dunn Road and I-270 will continue to be maintained by Missouri Department of Transportation.

In the Official Submittal, the City proposes that the transfer of jurisdiction is logical because Area 13 is essentially a "pocket" within the City, being bounded by the City on three sides, with a state roadway on the fourth, South side. There is currently a question whether Grandview Drive is under the jurisdiction of St. Louis County or the City and a successful transfer will resolve this issue.

The City is 55.8% contiguous to Area 13 and transfer will realign City limits to provide more natural and logical borders. There is only one subdivision within Area 13 which is St. Ferdinand Commons. St. Ferdinand Commons is not a traditional subdivision but is a historical area designated on plats as a subdivision. No traditional subdivision will be split by this transfer of jurisdiction.

The city has demonstrated that Area 13 will be accessible for City services because it is 55.8% contiguous to existing City boundary lines. The City can regularly provide services from the City street of Acredale, as well as from Grandview Drive and Dunn Road. There are no natural or man-made barriers that would impede efficient delivery of services to Area 13.

FINANCIAL

Area 13 has a small population and, therefore, generates very little income, which is insufficient to pay for the services currently provided by St. Louis County.

The Commission received the following evidence concerning any change in tax rate for Area 13, or change in revenue, due to the transfer of jurisdiction. The overall property tax rate will remain the same after the transfer of jurisdiction; \$8.396 per \$100 of assessed valuation. The present utility tax, which is 5% in the County, will be 3% after transfer to the City. It is estimated that there will be a resulting savings of \$15.52 per year per resident.

The sales tax per dollar before transfer is \$0.06075, and after transfer will be \$0.06825. The difference in the rate is due to the fact that the City has a .50% Capital Improvement Sales Tax and a 0.25% Park Improvement Sales Tax.

The City provided the following projection of revenues and expenditures related to the cost of providing service to Area 13 for the first three years after transfer.

Revenues and Expenditures Derived from Annexation Area			
	Year 1	Year 2	Year 3
Revenues	\$1,257.00	\$1,257.00	\$1,257.00
Expenditures	\$1,750.00	\$1,750.00	\$1,750.00

The City stated that St. Louis County indicated it projects in annual revenue loss of \$770 if the proposed transfer becomes effective. Florissant estimated that in terms of cigarette tax, gasoline tax, road and bridge tax, sales tax, utility tax, sewer lateral inspection fees and miscellaneous permits and license fees, St. Louis County would lose a total of \$976.

In light of the foregoing, the transfer of jurisdiction of Area 13 will have a negligible effect on the tax base or the ability to raise revenue of Area 13, the City, the surrounding residents and St. Louis County and its residents. The City pointed out it is a “pool city” and since the land uses in the annexation area are residential, the City feels that the tax base will be very compatible and mutually beneficial.

The City anticipates \$2,500 of street repairs and improvements in FY 2005. The anticipated source of income to fund these improvements is the one-half cent Capital Improvement Sales Tax which is estimated at \$270 per year for the Area. The City will tap additional revenues to perform Area 13 capital improvement projects.

SERVICES

The City described various services that are currently provided by St. Louis County and the City. With regard to street lighting, which is currently provided on an individual cost basis in St. Louis County, the City will provide some and some will continue to be provided on an individual cost basis. The County does not offer an aquatic center, a Senior Citizen Bus Service or a skateboard park, all of which are provided by the City. All other equivalent services that are presently provided by St. Louis County will continue to be provided by the City, including police protection, snow removal, sidewalk improvement and repair, community center and recreation activities, park facilities, ice-skating, swimming pools, health services, financial assistance for home repairs, municipal court and refuse collection.

The City offered that services would be extended to the area immediately upon approval of the transfer of jurisdiction without a vote.

ZONING AND LAND USE

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

Institutional	-0-
Multi-Family Residential	-0-
Single-Family Residential	58%
Vacant	-0-
Commercial (C-8)	42%
TOTAL	100%

The area proposed to be transferred contains two zoning classifications, R-2 and C-8. The present zoning classifications applied by St. Louis County and the comparable zoning classifications for the City are the same for the single-family residential. Florissant will classify the present C-8 zoned property as B-5 which permits the same uses as are available under the County zoning classifications.

The City offered that there will be little or no impact from the zoning and land use changes.

EFFECTIVE DATE

Regarding the effective date of the boundary change, the City has indicated it is prepared to immediately extend services to the area, effective May 1, 2004.

DECISION

The City of Florissant, State of Missouri, and St. Louis County, State of Missouri are the proposing agents as defined by §72.400(6) of the Revised Statutes of the State of Missouri and the Boundary Commission has jurisdiction over the Official Submittal.

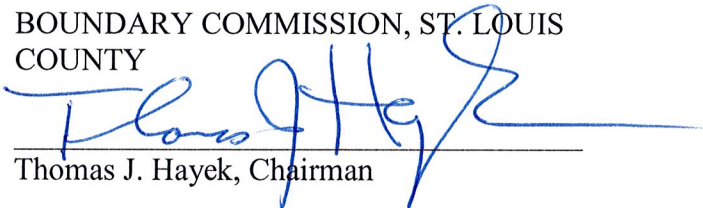
The boundary change sought by the City of Florissant and St. Louis County is a transfer of jurisdiction governed by Section 72.400, et seq., RSMo. (2000).

Based upon the entire record, the Boundary Commission, St. Louis County, voted at an open public meeting on April 27, 2004 by a roll call vote, and the Official Submittal was **APPROVED** as a Simplified Boundary Change which was approved without requiring a vote, as permitted by section 72.405 and Article XIII.A. 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.

ATTEST:

BOUNDARY COMMISSION, ST. LOUIS
COUNTY



Thomas J. Hayek, Chairman

Date

June 22, 2004