

**Before the Boundary Commission, St. Louis County, Missouri**

In re: Proposal of the City of Florissant

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File No. BC9613  
Kensington Area

**Summary and Decision of the Boundary Commission, St. Louis County  
January 14, 1997**

**Summary of Facts:**

The Boundary Commission, St. Louis County gathered the following facts:

On July 2, 1996 a proposal requesting a boundary change (hereinafter referred to as the "official submittal") by the City of Florissant (hereinafter referred to as the "municipality") was submitted to the Boundary Commission (hereinafter referred to as the "Commission") at its office, pursuant to the Rules of the Commission in effect as of March 12, 1996. The official submittal contained the information required of all proposals as found in Article III(A) of the Rules. Additionally, the official submittal contained the following information required under the Rules for boundary change requests involving the annexation of unincorporated territory to a municipality.

- A. Article III C(1) - Certification of 15% Adjacent
- B. Article III C(2) - Ordinance providing for Annexation
- C. Article IV C - Copy of Budget and Audit Report
- D. Article IV D - Statement regarding Fire Service

On August 6, 1996 a public hearing was conducted by the Commission based upon the official submittal.

The area proposed for annexation is an unincorporated pocket located north of the City. This area is 75% contiguous to the City of Florissant and 25% contiguous to unincorporated St. Louis County along Paddock Creek and Coldwater Creek, the Wedgewood Area also proposed for annexation in BC9602. A map showing the location of the area is attached as Exhibit "A" and is the same map presented in the proposal by the municipality.

The area proposed to be annexed is approximately 65% developed, primarily residential. The vast majority of the development can be found in the eastern half of the area.

<b>BASIC ANNEXATION AREA INFORMATION DATA</b>		
	<i>City of Florissant Declarations:</i>	<i>St. Louis County Declarations:</i>
<i>Area</i>	33.30 acres	33.30 acres
<i>Population</i>	716	716
<i>Dwelling Units</i>		365
<i>Dwelling Units per Three Acres</i>	3.20	
<i>Total Assessed Valuation</i>	\$1,945,610	\$2,516,888
<i>Assessed Valuation per Capita</i>	\$2,717	\$3,515

<b>INFORMATION REGARDING ANNEXATION AREA AS AN UNINCORPORATED POCKET</b>	
<b>Criteria</b>	<b>Finding</b>
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 less than five thousand (5,000) people	The area has a population less than 5,000 people.
Accessible by public or private roadways only from incorporated jurisdictions and/or another county	The area is accessible only by public roadways from another incorporated jurisdiction.

**FACTOR 1**

(Impact, including but not limited to the impact on the tax base or on the ability to raise revenue)

*City of Florissant Declarations:*

The financial evidence presented by the municipality estimated the impact on the tax base of the existing municipality would be an additional \$149,600 in revenue from the annexed area. The apartment owners in the area would pay an additional \$33.20 per year in additional personal property and utility taxes to the City of Florissant. Subsequently, the City confirmed their commitment to a reduction in the Utility Tax, effective January, 1997 from the current 7% to 4%. Revised financial projections were not submitted.

The municipality did not quantify the financial impact on the County except to point out “revenues lost by St. Louis County will be more than offset by the elimination of their services to this area.”

The municipality offered the following non-financial impacts:

- Municipality:
  - ▶ alignment of city limits to natural, logical borders or boundaries
  - ▶ steady, consistent growth
- Area subject to change:
  - ▶ ensure quality of life through proper community planning and zoning
  - ▶ prevention of adverse land development and land usage
  - ▶ ability to use city services and facilities
  - ▶ availability of convenient and more accessible government

*St. Louis County Declarations:*

The estimated impact of the annexation on a typical renter in the area would be a combined estimated increase in property (real and personal) tax and utility tax of \$27 per year.

FACTOR 2  
(Legal Description of Area)

For the legal description of the area subject to the boundary change proposal, the municipality submitted the document attached hereto as Exhibit “B” and generally described as “Kensington Area Legal Description.”

FACTOR 3  
(Ability to accommodate orderly incorporation in the County)

*City of Florissant Declarations:*

On the ability of the proposal to accommodate the orderly incorporation in the County, the City of Florissant represented that the increase in land area and population could be easily incorporated into the City.

**FACTORS 4 and 5**

(Present level of major services and proposed time schedule for delivery of services)

On the present level of major services and the proposed time schedule to provide those services, the Boundary Commission received the following evidence.

<b>Provision of Services to Annexation Area</b>						
<i>Service</i>	<i>Service Unchanged</i>	<i>Service Changed</i>				
		<i>Present Provider</i>	<i>Fee</i>	<i>New Provider</i>	<i>Fee</i>	<i>Date</i>
Police Services		St. Louis County	No	Florissant	No	6 mos
Fire/EMS/ALS Service	No Change					
Water Service	No Change					
Sewer Service	No Change					
Street Maintenance		St. Louis County	No	Florissant	No	6 mos
Utility Agreements	No Change					
Parks Service		St. Louis County	No	Florissant	No	6 mos
Recreation Service		St. Louis County	No	Florissant	No	6 mos
Refuse Service	No Change					
Sidewalk Maintenance		St. Louis County	No	Property Owner	Yes	6 mos
Street Lighting		Property Owner	Yes	Florissant	No	6 mos
Code Administration		St. Louis County	Yes	Florissant/St. Louis County	Yes	6 mos
Planning & Zoning		St. Louis County	No	Florissant	No	6 mos
Municipal Court		St. Louis County	No	Florissant	No	6 mos
Health Services		St. Louis County	No	Florissant	No	6 mos

**FACTORS 6 and 7**  
(Current tax rates of area and sources of revenue)

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 Boundary Commission received the following evidence:

**Change in Tax Rates for Property and Utility Taxes after Annexation**

Source of Tax	Change in Tax Rate
Property Tax	Increase by \$.08/\$100 Assessed Valuation
Utility Tax	Increase from 5 to 7% <sup>1</sup>

**Revenue, Cost and Balance Estimates after Annexation**

Source of Revenue	New Revenue after Annexation Estimated	
	by Municipality	by County
Property Tax	\$1,500	\$2,013
Utility Tax	43,000	60,900
Sales Tax	71,600	73,712
Gasoline/Motor Vehicle Tax	23,900	15,616
County Road and Bridge Tax	2,000	6,727
Cigarette Tax	3,300	3,061
Cable T.V. Tax	3,600	2,628
Misc	700	700
<b>Estimated Total New Revenue from Annexation Area</b>	<b>\$149,600</b>	<b>\$165,357</b>
<b>Estimated Cost of Extending Service to Area</b>	<b>\$141,500</b>	<b>\$141,500</b>
<b>Estimated Net Surplus (Deficit)</b>	<b>\$8,100</b>	<b>\$23,857</b>

The estimated surplus by the City of Florissant would represent a 0.2% increase in the current General Fund Reserve (\$3,371,232) of the City.

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<sup>1</sup>The City confirmed their commitment to a reduction in the Utility Tax, effective January, 1997 from the current 7% to 4%. Revised financial projections were not submitted.

**FACTOR 8**

(Extraordinary effect of the boundary change on distribution of tax resources)

Regarding the extraordinary effect the boundary change will have on the distribution of tax resources in the county, the Boundary Commission received the following evidence:

*City of Florissant Declarations:*

The municipality did not quantify an effect the annexation would have on the distribution of tax resources in the county. They deferred to St. Louis County as being able to best present this information.

*St. Louis County Declarations:*

St. Louis County estimated the annual loss in gross revenue from the proposed annexation to be \$128,336. They offered the following analysis of gross revenue loss by funding source.

<b>Estimated Gross Revenue Loss To St. Louis County from Kensington Annexation</b>	
<b>Revenue Source</b>	<b>Amount</b>
Sales Tax	\$52,984
Utility Tax	60,900
County Road Funding (C.A.R.T.)	6,120
County Road and Bridge	2,643
Cigarette Tax	3,061
Cable T.V. Tax	2,628
<b>TOTAL</b>	<b>\$128,336</b>

**FACTOR 9**  
 (Current and Proposed Zoning)

As to how the municipality proposes to zone the area proposed for annexation, the following evidence was submitted to the Boundary Commission:

*City of Florissant Declarations:*

The City identified two County zoning classifications contained within the proposed annexation area:

<b>Proposed Zoning - Kensington Area Annexation</b>			
County Zoning Classification	Proposed Florissant Zoning Classification	Proposed Zoning Classification New or Existing	Timing for Transition
R-4 (Residence-7,500 SF)	R-4 (Single Family Dwelling-7,500 SF)	Existing	6 mos.
R-6A (Residence-4,500 SF)	R-5 (Residential Duplex-5,000 SF and R-6 Multiple Dwelling-3,500 SF)	Existing	6 mos.

In general, the City of Florissant identified that setback requirements generally vary between St. Louis County zoning districts and those of the City of Florissant. Any newly annexed structure which did not meet the setback requirements of the existing City zoning classification would be treated as non-conforming.

The City offered the following regarding their process for identifying proposed zoning districts. The City of Florissant would evaluate each property to determine the appropriate zoning classification. Properties would be classified in a City Zoning District most comparable to St. Louis County. Properties and buildings may be non-conforming subject to the City Zoning Ordinance. Any property varying considerably from the City Zoning Districts (R-3, R-4, R-5) would be evaluated for a new zoning district. (The City of Florissant did not offer a schedule for an evaluation or decision on the possible creation of new districts.)

*St. Louis County Declarations:*

The County identified that some properties in the area may become non-conforming if annexation occurs. Non-conformities would have to be dealt with on a case-by-case basis, unless there is a change in the zoning ordinance to address these non-conformities.

**FACTOR 10**  
**(Compactness of area)**

As to how the proposal addresses the compactness of the area subject to proposal, the following evidence was provided the Boundary Commission.

*City of Florissant Declarations:*

<b>Compactness of Area</b>	
Criteria	Municipality
Service delivery/access	The City can readily and routinely provide services from Carla Lane and N. New Florissant Road.
Community of Interest	Share community interests of preservation of property values through code enforcement, police protection, and better/closer park and recreation facilities.
Natural and/or Man-Made Barriers	Coldwater Creek to the north and Paddock creek to the east.
Shared or Common Boundaries	City of Florissant to the South, West, and East, and unincorporated St. Louis County to the North.

*St. Louis County Declarations:*

The County commented that the three direct street connections from the existing Florissant boundary would provide ample road access to facilitate the provision of services. Regarding shared or common boundaries, the County stated that except for a portion of the northeastern limits of the area, the area is surrounded by Florissant on all other sides.

From a compactness and shape standpoint, the extension of the City of Florissant's boundaries as proposed appears to be logical.



**FACTOR 11**

(When boundary change to become effective)

Regarding the effective date of the proposed boundary change, the following evidence was presented to the Commission.

*City of Florissant Declarations:*

Within six months of a favorable election vote, the City would provide full services to this area.

**Decision**

The City of Florissant is a 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.

The unincorporated area included with the proposed boundary change is determined to be and classified as an unincorporated pocket, pursuant to §72.407(2) RSMo.

Based upon the entire record, the Boundary Commission, St. Louis County, voted at an open public meeting 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 unincorporated territories affected by the proposal.
- C. The proposal is in the best interest of the areas of the county next to such proposed boundary change.

In accordance with Section 72.407 RSMo, the Boundary Commission herewith sets a vote in the City of Florissant and the area to be annexed to be held at an election on April 1, 1997. Such elections shall be held in accordance with Chapter 115 RSMo. The ballot for said separate elections shall read:


**“Shall the City of Florissant annex the unincorporated territory adjacent to it as described in the legal description and map contained in the Boundary Commission’s Summary and Decision, Commission Number BC9613 (Kensington Area), of January 14, 1997?”**

The annexation shall take effect six months following certification of election results if a separate majority:

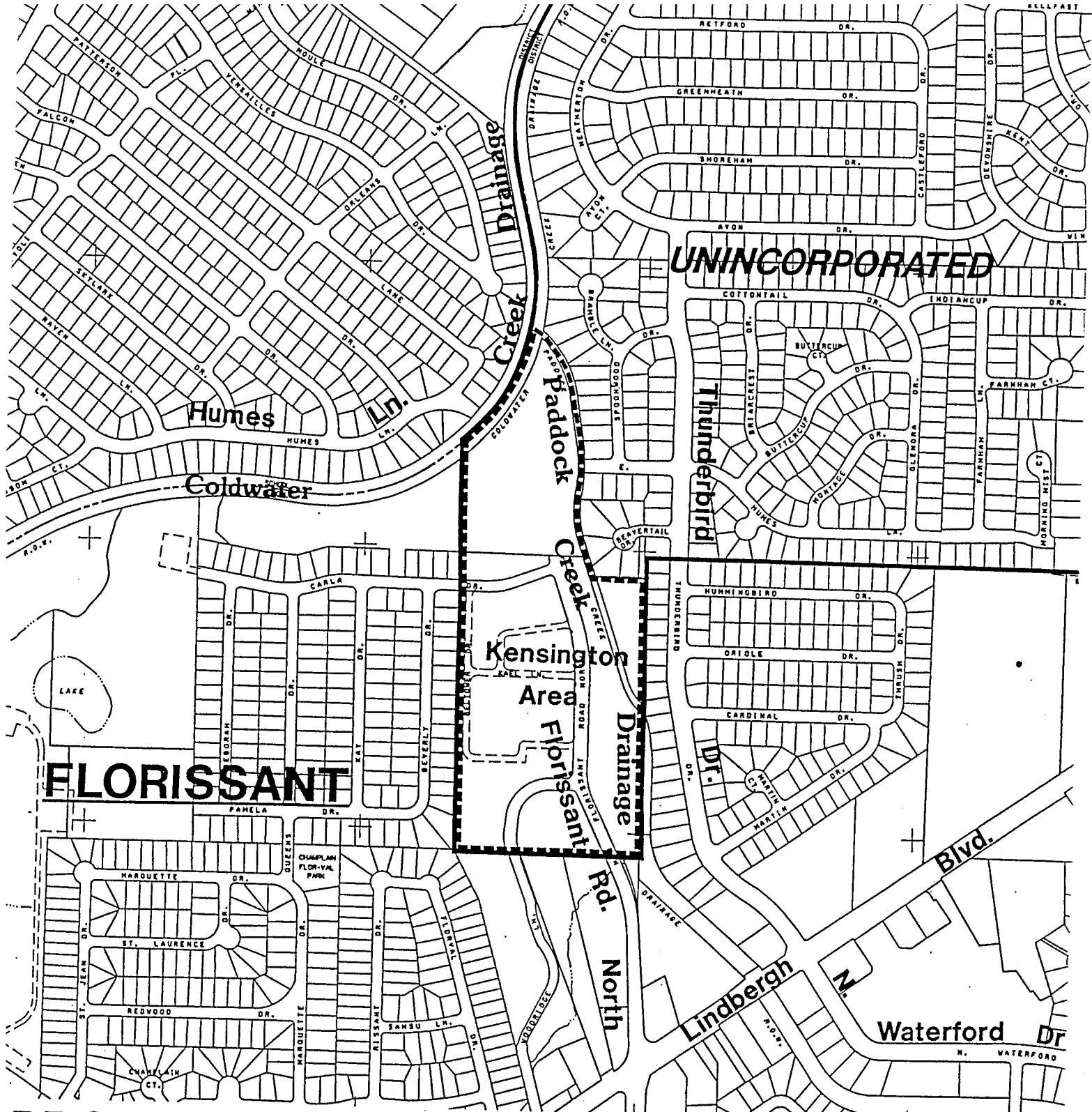
- A. of the votes cast on the question in Florissant and
- B. of votes cast in the whole municipality which would result from the boundary change

are in favor of the boundary change.

ATTEST:

  
\_\_\_\_\_  
Chairperson

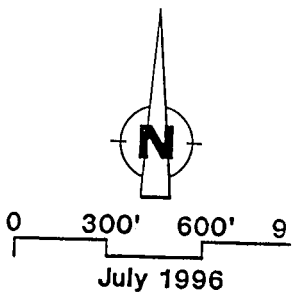
Date 1/24/97



# PROPOSED ANNEXATION FOR THE CITY OF FLORISSANT, MISSOURI

- Existing City Limits
- - - - Proposed Annexation

TOTAL ACREAGE :  
 33.30 Acres  
 0.05 Sq. Mi.



Farnsworth  
Polk, Inc.  
engineers  
& surveyors

**Kensington Square  
Legal Description**

Beginning at to the Southeast corner of Lot "A" of Woodridge House Addition, Plat 1 as recorded in Book 211 pages 10 and 11 of the St. Louis County Records; Thence along the South line of said Lot "A" South 89 degrees 39 minutes 40 seconds West a distance of 816.72 feet; thence continuing along said line North 89 degrees 31 minutes 00 seconds West a distance of 13.03 feet to the Southwest corner of Lot "C" of said Woodridge House Addition; thence along the West line of Lot "C" and Woodridge House Addition Plat 2, as recorded in Book 142 page 68 of the St. Louis County Records North 00 degrees 27 minutes 10 seconds East a distance of 1815.88 feet to a point in the centerline of Cold Water Creek Drainage Right of Way, 100.00 feet wide, thence along said centerline and a curve to the left having a radius of 855.37 feet, an arc distance of 576.11 feet to the intersection of the centerline of Paddock Creek Drainage Right of Way, 60.00 feet wide; thence along the centerline of Paddock Creek and a curve to the right having a radius of 194.97 feet, an arc distance of 176.58 feet; thence South 30 degrees 40 minutes 42 seconds East a distance of 32.23 feet; thence along a curve to the right having a radius of 505.02 feet, an arc distance of 197.44 feet; thence South 08 degrees 16 minutes 42 seconds East a distance of 191.00 feet; thence along a curve to the right having a radius of 777.06 feet, an arc distance of 198.92 feet; thence South 06 degrees 23 minutes 20 seconds West a distance of 45.00 feet; thence along a curve to the left having a radius of 475.90 feet, an arc distance of 197.13 feet; thence South 17 degrees 20 minutes 40 seconds East a a distance of 168.16 feet; thence leaving said centerline Eastwardly and along the Southern line of Gardenview Plat 4 as recorded in Plat Book 118 Page 10 of the St. Louis County Records South 89 degrees 42 minutes 20 seconds East a distance of 276.15 feet to a point in the West line of Thunderbird Manor Plat 4 as recorded in Plat Book 91 Page 43 of the St. Louis County Records; thence along said West line and the West line of Thunderbird Manor Plat 2 as recorded in Plat Book 83 Page 43 of the St. Louis County Records and the East line of said Woodridge House Addition Plat 2 South 00 degrees 18 minutes 00 seconds West a distance of 1233.54 feet to the Point of Beginning and containing 33.30 acres more or less.

*Marc V. Edwards*  
Marc V. Edwards, LS-23603ER  
LS-2300  
STATE OF MISSOURI  
REGISTERED LAND SURVEYOR

**NOTE:**

Description is based on record information and does not represent an actual boundary survey.