

Before the Boundary Commission, St. Louis County, Missouri

In re: Proposal of the City of Florissant)
)
) File No. BC0101
) Crest Aire
)
)
)

**Summary of Decision of the Boundary Commission, St. Louis County
December 11, 2001**

Summary of Facts:

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

On July 5, 2001 a proposal requesting a boundary change (hereafter referred to as the “official submittal”) by the City of Florissant (hereafter referred to as the “City”) was submitted to the Boundary Commission (hereafter referred to as the “Commission”) at its office, pursuant to the Rules of the Commission in effect as of May 4, 2000. The official submittal contained the information required of the proposals as found in Article V.A of the Rules. Additionally, the official submittal contained the information required under the Rules for boundary change requests involving the annexation of unincorporated territory to a municipality through an annexation, as found in Article V.2.

On August 28, 2001 a public hearing was conducted by the Commission based upon the official submittal.

The City of Florissant borders the Crest Aire annexation area on the north, south and west, while the City of Hazelwood borders the Crest Aire annexation area on the south and on a small portion of the west. The area proposed for annexation consists of approximately seventy-five (75) 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 municipality.

St. Louis County supplied the following information. Florissant stated it would rely upon St. Louis County for basic geographical data.

BASIC ANNEXATION INFORMATION DATA	
Area	75 Acres
Population	587
Dwelling Units	218
Dwelling Units per Three Acres	2.91
Miles of Public Roads	Approximately 2.27 mi.

As demonstrated by the following table, the Crest Aire annexation area 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 UNINCORPORATED 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.

GEOGRAPHIC

The City of Florissant stated that single-family houses comprise approximately 95% of the land in the Crest Aire annexation area. Commercial uses comprise approximately 5% of the land in the Crest Aire annexation area. The annexation area is characterized by logical and well defined boundary lines, leaving no pockets and clearly showing the limits of services to be offered by the City of Florissant, Hazelwood and the County.

Regarding the adjacency of the annexation area, Florissant offered that it is 58% contiguous to the annexation area. The City noted that the annexation area is “common” to the City of Florissant. Five (5) residential streets connect the annexation area and Florissant. Hazelwood, to the contrary, has no common streets with this area and must access to serve Crest Aire via Howdershell Road (a St. Louis County arterial road).

Regarding the compactness of the annexation area, Florissant offered that the area will be very accessible to City services. Being 58% contiguous to existing City boundary lines, the City can readily and routinely provide services from Flordawn Dr., Layven Dr., and Keeven Ln., all City of Florissant streets. Howdershell, a County street, may also be used; no street from Hazelwood can directly service this area. Florissant stated that the annexation creates logical boundaries and there will be no gap between its border with Hazelwood.

FINANCIAL

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:

The City of Florissant indicated at the time of submittal, the following were the relevant tax rates before and after the change.

Tax	Tax Rates	
	Current	After Annexation
Real Estate and Personal Property:		
County	\$0.58/\$100 assessed valuation	\$0.58/\$100 assessed valuation
Fire District	\$0.83/\$100 assessed valuation	\$0.83/\$100 assessed valuation
Sales Tax (Local)	\$6.075	\$6.825
Utility Tax	\$.05	\$.03

Florissant stated that the taxes of a typical Crest Aire resident will decrease approximately \$40.00 per year, due to the reduction in utility tax rates from 5%, the County rate, to 3%, the Florissant rate.

Regarding the impact annexation would have on the tax base or the ability to raise revenue of annexation areas, Florissant stated the following:

Since the Crest Aire subdivision area is a relatively small area in comparison to St. Louis County, the City's annexation of Crest Aire will have a negligible impact on:

- a) Crest Aire and its residents
- b) The City of Florissant and surrounding residents
- c) Hazelwood and surrounding residents
- d) 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	\$170,000	\$170,000	\$170,000
Expenditures	\$141,100	\$141,100	\$141,100
Net Surplus (Deficit)	\$29,000	\$29,000	\$29,000

The City identified the following capital costs:

Proposed Capital Expenditures	
ADA Ramps Between Streets & Sidewalks	\$10,800
Street Lights	\$210,000

The City’s ½¢ Capital Improvement Sales Tax, estimated at \$35,205 per year for the area containing Crest Aire, will provide funds to make the necessary capital improvements. The City says it will need to use additional revenues from other sources to improve public infrastructure conditions to be equivalent to the rest of the City.

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

Estimated Gross Revenue Loss to St. Louis County from Crest Aire Annexation	
Cigarette Tax	\$2,800
Gasoline Tax	\$26,500
Road & Bridge Tax	\$4,300
Sales Tax	\$80,000
Utility Tax	\$27,250
Total	\$140,850

The City said it does not presume to know the extraordinary impact of Crest Aire’s annexation on St. Louis County. Florissant stated that, because it is a “pool” city, and the Crest Aire 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 has an ordinance in place to require continued participation in the Missouri Bottom Traffic Generation Trust Fund (TGA). The City has stated to the

Commission that it will require any new development in the Crest Aire annexation area to participate in the trust fund. St. Louis County informed the Commission that to do so, a new ordinance is required with each specific development, outlining the requirements of participation in the TGA.

SERVICES

Provision of Services in Annexation Area					
<i>Service</i>	<i>Service Unchanged</i>	<i>Service Changed</i>			
		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	No
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	Yes
Planning and Zoning		St. Louis County	No	Florissant	No
Municipal Court ¹		St. Louis County	No	Florissant	No
Health Service		St. Louis County	No	Florissant/St. Louis County	No

Florissant offered that Crest Aire residents would receive services from the Public Works Department on a equal basis and level as received by current City residents. Recreation

¹ Both St. Louis County and Florissant assess a municipal court fee mandated by the State of Missouri.

and park fees would be lowered for residents if Crest Aire is part of Florissant. Florissant stated that its recreation and park facilities were generally located closer to Crest Aire than similar County facilities. 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.

The City offered that services would be extended to the annexation area within six (6) months of a vote to approve annexation.

ZONING AND LAND USE

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

Land Use - Crest Aire Annexation	
Commercial	5%
Single-Family Residential	95%

The City presented the following evidence to the Boundary Commission regarding how the municipality proposes to zone the area proposed for annexation.

Proposed Zoning – Crest Aire Annexation			
County Zoning Classification	Proposed Florissant Zoning Classification	Proposed Zoning Classification: New or Existing	Timing for Transition
R-3 Residence	R-3 Single Family	Existing	6 Months
C-2 Shopping	B-2 Central Business	Existing	6 Months
C-8 Planned Commercial	B-5 Planned Commercial	Existing	6 Months

Florissant offered that the County’s R-3 classification and Florissant’s R-3 classification are identical. Florissant offered that the County’s C-2 classification is general, specifying, “stores, shops, markets, service facilities and automatic vending ...” providing goods and services. The C-2 facilities would become classified as B-2, Central Business, if Florissant were to annex the area. There are no minimum lot requirements in the B-2 classification. Florissant offered that property classified currently as C-8, Planned Commercial, by the County, would be classified as B-5, Planned Commercial, by Florissant.

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

EFFECTIVE DATE

Regarding the effective date of the boundary change, the following evidence was presented to the Commission by the City:

The City of Florissant will extend all services to the newly annexed area on October 2, 2002, after a successful vote for annexation into the City.

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 December 11, 2001 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.

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 2, 2002. Such election shall be held in accordance with Chapter 155 RSMo. The ballot for said separate election shall read:

“Shall the City of Florissant annex the area adjacent to it as described in the legal description and map contained in the Boundary Commission’s Summary of Decision, Commission Number BC0101, known as the

**Crest Aire Subdivision, of December 11, 2001? (See
map and legal description posted at the polling place.)”**

The annexation shall take effect six months following the certification of election results if:

- A. A separate majority of votes cast on the question in the City of Florissant;
and
- B. A separate majority of votes cast in each voting jurisdiction comprising
the unincorporated area of the County are in favor of the boundary change.

ATTEST:

Chairperson

Date