

**STAFF ANALYSIS
ANNEXATION REQUEST
Unified Zoning Ordinance**

ZONING CASE: The request of Brass Holdings to annex a tract of land totaling 3.14 acres, zoned High Density Residential (R-7) and located at 1556 Crow Valley Rd. into the City of Dalton (Parcel 12-147-01-001) (Dalton)

Since the applicant filed the annexation request they are not required to attend the public hearing under Georgia law. This annexation would have the effect of changing jurisdictions while maintaining the same zoning district on the subject property. With that being said, however, a request to rezone the subject property from R-7 to R-4 was recently heard and recommended to be approved by the Planning Commission. If this annexation is approved, then the City of Dalton would have jurisdiction in this matter.

The surrounding land uses and zoning are as follows: 1) To the north is a 7.8 acre undeveloped tract zoned Heavy Manufacturing M-2; 2) to the east is an undeveloped 3.8 acre tract also zoned M-2; 3) to the south is a condominium complex totaling approximately five 5 acres that contains 36 units zoned R-7; 4) to the west is an undeveloped 30 acre tract zoned Low-Density Single-family residential R-2. All in all, a review of the zoning map shows a convergence of residential and industrial zone districts that is consistent with the existing land use.

The subject property is currently within the jurisdiction of the Whitfield County Board of Commissioners, but the subject property is flanked on approximately 80% of its border by the City of Dalton's corporate boundary.

<u>Administrative Matters</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
A. Is an administrative procedure, like a variance, available and preferable to annexation?		<u>X</u>	
B. Have all procedural requirements been met? 1. Legal ad February 8, 2019 (16 days notice) 2. Property posted February 8, 2019 (Yes -- one sign on the lot frontage; 16 days notice.)	<u>X</u>		
C. Has a plat been submitted showing a subdivision of land?		<u>X</u>	
D. The following special requirements have an impact on this request: 100-year flood plain Site Plan (none required) Buffer Zones (none required) Soil Erosion/Sedimentation Plan Storm Water Requirements		<u>X</u> <u>X</u> <u>X</u>	 <u>X</u> <u>X</u>

CONSIDERING FACTORS FOR A REZONING/ANNEXATION ANALYSIS

(A) Whether the proposed amendment would allow a use that is generally suitable for the site compared to other possible uses and whether the proposed change is consistent with the established land use pattern and zoning of adjacent and nearby properties.

Yes. The proposed annexation would create a more consistent boundary for the City of Dalton. Since the City participates in the Unified Zoning Ordinance the property's current zone district would be unchanged upon annexation. This answer includes the understanding that a request to rezone the subject property from R-7 to R-4 has been heard and recommended by the Planning Commission. Considering the subject property is adjacent to the corporate boundary of the city this annexation request is reasonable.

(B) Whether the proposed amendment would adversely affect the economic value or the uses of adjacent and nearby properties.

No impact is expected. The annexation will change the property jurisdiction, but the use of the land will remain the same unless rezoned by the City of Dalton post-annexation.

(C) Whether the subject property has a reasonable economic use as currently zoned, considering the suitability of the subject property for the proposed zoned uses.

The subject property is currently zoned R-7 in the County and because of the Unified Zoning Ordinance, the annexation, if approved, will maintain the same R-7 zoning designation. As previously stated, the request to rezone the subject property from R-7 to R-4 was recently heard by the Planning Commission and recommended for approval.

(D) Whether there is relative gain to the health, safety, morals, or general welfare of the public as compared to any hardship imposed upon the individual owner under the existing zoning.

No impact. The zoning will be the same, but the jurisdiction will change. The property owners have completed an application to annex under the 100 percent method, which means it is by their choice. There is no identifiable hardship under the subject property's current zone district or governing jurisdiction, but the annexation of the subject property, if approved, would create a more consistent corporate boundary for the City of Dalton.

(E) Whether the proposed amendment, if adopted or approved, would result in a use which would or could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities, as contrasted with the impact under the existing zoning.

No impact is expected. The vicinity has all available services - water, sewer, fire, natural gas, and electricity.

(F) Whether the property sought to be rezoned (or annexed) is in conformity with the policy and intent of the adopted joint comprehensive plan or equivalent. If not, has the plan already been amended, officially or unofficially, by the development of uses which are contrary to the plan recommendation, and if the plan has been amended, does this rezoning or annexation request allow uses which are compatible to the existing uses in the vicinity.

The subject property is within the Emerging Suburban character area within the 2019-2023 Joint Comprehensive Plan's Future Development Map. The Emerging Suburban character area covers areas east of Dalton, west of I-75 around and south of Tunnel Hill, and along SR 71/Cleveland Highway that have experienced some residential growth and are positioned to accommodate more due to general land use trends in the area or to proximity to existing neighborhoods. The primary land use recommendation for this character area is single-family residential (net density of 2 dwellings per acre). The density of the proposed rezoning would certainly exceed that recommended for this

character area, but the proposed R-4 rezoning would reduce the residential density permitted within the current R-7 zone district.

(G) Whether there are any other conditions or transitional patterns affecting the use and development of the property to be rezoned or annexed, which give grounds for approval or disapproval of the proposed zoning proposal. Whether the proposed zoning change constitutes an “entering wedge” and is a deterrent to the use, improvement, or development of adjacent property within the surrounding zone districts or would create an isolated, unrelated district (spot zone) as interpreted by current Georgia law.

Compared to some requests, this one is easy. The use and zoning proposed is reflective of uses and zoning in the vicinity. No special conditions or patterns are identified.

(H) Whether the subject property, as currently zoned, is vacant and undeveloped for a long period of time, considered in the context of land development in the vicinity or whether there are environmental or cultural factors, like steep slopes, flood plain, storm water, or historical issues that influence the development of the subject property under any zoning designation.

N/A

CONCLUSION: The staff recommendation is that the subject property is very much suited for the requested annexation.