

**STAFF ANALYSIS
ANNEXATION REQUEST
Unified Zoning Ordinance**

ZONING CASE:

Robin Norwood Et Al. is seeking annexation of a parcel (#12-126-06-001) into The City of Dalton. located at 2100 Cleveland Highway within the General Commercial (C-2) zone district. Dalton's current corporate boundary flanks the subject property on one side.

The surrounding land uses and zoning are as follows: 1) To the north, is a 1.9-acre tract of land zoned R-5 that contains a mix of commercial and residential structures within the unincorporated County, 2) to the east, is a 0.53-acre tract zoned C-1 that contains a vacant single-family detached dwelling, 3) to the south, are two adjacent tracts of land across Beulah Dr. that are each zoned Low-Density Single-Family Residential R-2. One of the southern tracts contains a single-family dwelling while the other contains the Dalton Country Club, 4) To the west across Cleveland Highway, are two adjacent tracts of land zoned C-1 and C-2 that are each undeveloped. Zoning will not be affected by this annexation if it is approved since both the City and the County share the Unified Zoning Ordinance.

<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 Apr. 30, 2021 (16 days notice) 2. Property posted Apr. 30, 2021 (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.

As stated previously, the zoning of the subject property will not be changed in the event that it is annexed into the City of Dalton since the City and County adopted the UZO in 2015. The existing C-1 Cond. zoning is appropriate in regard to the existing land use in this area as well as the Comprehensive Plan and Future Development Map. The annexation, if approved, would simply bring the subject property into the City of Dalton.

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

No impact is expected if this annexation is approved.

(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.

This annexation will not affect the subject property's use or character. If this property is annexed, then it will be able to benefit from city services that are already offered to the majority of adjacent and nearby properties.

(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 the choice of the property owner to be annexed.

(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. Service extensions to the area have occurred through the years. More properties in the vicinity are now within the City of Dalton, as compared to the unincorporated County. Water and sewer utilities are already available to the subject property with no concern for capacity. The annexation of the subject property would have a negligible impact on public utilities for this area. It is worth noting the attached letter that specifies the condition applied to the subject property as part of its past rezoning. The condition states that commercial access is limited to Cleveland Highway only; and the existing driveway off Beulah Drive must be closed to prevent access from Beulah Drive.

(F) Whether the property sought to be 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 Commercial character area. This character area is shared by both Whitfield County and the City of Dalton. This annexation would have no conflict with the Comprehensive Plan or Future Development Map.

(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.

This request, if approved, would simply expand the boundary of the City of Dalton. While this annexation does not create a County island, it does illustrate that the future annexation of the eastern and western adjacent tracts would be preferable in order to create a more consistent boundary.

(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.

The subject property is currently undeveloped, but it had been developed in years past for single-family residential use. It is not unusual to find a lot that has been cleared for redevelopment along this section of Cleveland Highway. The age of development in this area of the County/City is at a point where redevelopment and infill projects will likely become more common.

CONCLUSION: The staff recommendation is that the subject property is suited for annexation into the City of Dalton. The request is consistent with the Comprehensive Plan, and the uses and zoning of most properties in the vicinity.