



## GLPC AGENDA ITEM # 5 JULY 26, 2021

### Deannexation Request by Uvalde Land Company File #: VA-2021-16

Uvalde Land Company LLC, represented by James Warren, is requesting to **deannex** 310 acres from the City of Valdosta. The subject property is the City portion of the “Cherry Creek Wetlands Mitigation Bank” property which is located between the Withlacoochee River and the Cherry Creek residential neighborhoods. The applicant’s stated reason for the deannexation is to use it “for wildlife management and recreational use”. Pursuant to State law, the Lowndes County Commission has already adopted a Resolution formally “consenting” to the deannexation, however the final decision for such deannexations rest with the City Council. It should be noted that the property is currently zoned R-15 in the City, and there has been no discussion of any proposed zoning for this property in Lowndes County, and a rezoning application has not yet been submitted to County staff.

The property is located within the **Parks / Recreation / Conservation (PRC)** and the **Linear Greenspace / Trails (LGT)** Character Areas on the Future Development Map of the Comprehensive Plan which supports both residential and conservation-related zoning districts. The property is adjacent to the unincorporated area of Lowndes County. Deannexation of this property would not create any “islands” of incorporated area and it is therefore eligible for consideration under State law.

Brief history. The subject property was part of a family farm estate that would later be sold off and eventually developed into the Lake Laurie, Cherry Creek Hills, and Cherry Creek North subdivisions that we know today. These subdivisions slowly started developing about 50 years ago on individual parcels - primarily around the shoreline of the central lake (Lake Cleve, a.k.a. Cherry Creek Lake). Most all of the property was annexed into the City in the 1970’s and it continued developing as the early phases of the now-existing subdivisions. The only portions that remained in the County were these few small pockets of land (individual homesites) around the lake (and these were later annexed into the City as part of the “Islands Annexation” in 2006). The bulk of the remaining undeveloped land (including the subject property) was conveyed to the University of Georgia (UGA) and then later sold to local developers in 1994. In 2001, the subject property was included as part of the developers’ creation of the ‘Cherry Creek Wetlands Mitigation Bank”, and this was later conveyed to the UGA “Arch Foundation” in 2007. The applicant acquired the subject property from the Arch Foundation in March 2020.

Deannexation requests are reviewed and processed in a similar manner as annexation, but in reverse. As required by State law, the applicant has already received a Resolution of support from the Lowndes County Commission consenting to the deannexation (see attached). However, just like an annexation request, the final decision for deannexation rests with the Valdosta City Council and the decision is purely discretionary. Deannexation requests are very rare, and the last such request was by Scott Houser in 2013 (Stallings Road) which was unanimously denied by City Council. Previous to that, the latest request was an approval in 1998 (5 acres along Lloyd Jackson Rd).

Many of the same factors and rationale considered for an annexation, are also considered for a deannexation. In this case, these reduce down to two main areas: land use and “potential development” as it relates to physical access, and City provision of utilities and other services. Because any future bridge crossing of the Withlacoochee River in this area would be extremely unlikely, and this property being located wholly on the east side of the river bank, any access to this property must come from the east side of the river --- which means “through the city limits”. This would hold true for ANY form of development access, public/landowner access, public utilities, fire/police protection, or emergency medical response. Lowndes County is simply not able to provide any of these in an adequate manner from the west side of the river. In terms of the existing R-15 zoning, wildlife management and passive recreation are already Permitted Uses in the City R-15 zoning (as long as there is no discharge of a firearm). Additional recreational uses (active) might also be available in the City’s “E-R” zoning, either as a Permitted Use or with a CUP approval. Therefore, based on the applicant’s stated intentions, staff does not recognize any legitimate or sufficient reason why this property should be deannexed – particularly