

2023 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 134

FINAL

Package I

Version I - distributed on September 7, 2023

Version II- distributed on October 18, 2023

Final- October 26, 2023

Board of Commissioners Work Session

September 26, 2023 – 1:30 pm

Board of Commissioners Public Hearing Dates

October 10, 2023 – 9:00 am

October 24, 2023 – 7:00 pm

Cobb County Community Development

P.O. Box 649

Marietta, GA 30061

www.cobbcounty.org



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Chapter 134– ZONING

Article I. – In general

Section 134-1 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-1.- Definitions

Professional office means a structure wherein services are performed involving predominately administrative, professional or clerical operations such as the following: law, doctor, optician, audiologist, accounting, tax preparation, real estate, stockbroker, architect, engineer, manufacturer representative, professional counselor, dentist, investigative services, photographer, insurance, contractor, land surveyor, telephone sales, political or campaign, veterinarian, travel bureau, chiropractors, state licensed massage therapists, state-licensed esthetician, physical therapists, tutoring and music lessons, and the like.

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Section 134-191 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-191.- Summary of bulk regulations

District	Designation	Min. Lot Area	Min./Max Acreage Required	Units per Acre/Max. FAR	Min. Floor Area (sq. ft.)	Min. Lot Width at Front Setback	Minimum Front Yard Setback ¹			Major Side Yard ²	Min. Side Yard ³	Min. Rear Yard ⁴	Max. Coverage (%)	Max. Height
							Arterial	Collector	Local					
Rural Residential	RR	40,000 sq. ft.	N/A	1.0 avg.	1,050	100 ft.	50 ft.	50 ft.	50 ft.	25 or 35 ft.	25 ft.	35 ft.	25%	35 ft.
Single-Family Detached:														
2 acres	R-80	80,000 sq. ft.	N/A	0.5 avg.	1,600	75/70* ft.	60 ft.	60 ft.	60 ft.	25 or 35 ft.	25 ft.	50 ft.	25%	35 ft.
1 acre	R-40	40,000 sq. ft.	N/A	1.0 avg.	1,450	75/50* ft.	50 ft.	50 ft.	45 ft.	25 or 35 ft.	15 ft.	40 ft.	30%	35 ft.
¾ acre	R-30	30,000 sq. ft.	N/A	1.1 avg.	1,350	75/50* ft.	50 ft.	50 ft.	45 ft.	25 or 35 ft.	12 ft.	40 ft.	35%	35 ft.
½ acre	R-20	20,000 sq. ft.	N/A	1.75 avg.	1,200	75/50* ft.	40 ft.	40 ft.	35 ft.	25 or 35 ft.	10 ft.	35 ft.	35%	35 ft.
¼ acre	R-15	15,000 sq. ft.	N/A	2.1 avg.	1,150	75/50* ft.	40 ft.	40 ft.	35 ft.	25 or 35 ft.	10 ft.	30 ft.	35%	35 ft.
1/3.5 acre	R-12 [°]	12,000 sq. ft.	12,000 sq. ft./20 ac.	3.0 avg.	1,000	75/50* ft.	40 ft.	40 ft.	40/25** ft.	15 or 25 ft.	20† or 5** 5 ft.	40† or 20** ft.	35%	35 ft.
	PRD ^{°°}	See District Regulations. Commencing April 14, 1999, no new applications for rezoning will be accepted by the board of commissioners (Ordinance of April 13, 1999)												

	OSC Overlay	See District Regulations													
Single-Family, Attached or Detached: (If single-family residences are attached, there must be thirty (30) feet between end units)															
Cluster Residential	RA-6 ^o	6,200 sq. ft.	80,000 sq. ft./20 ac.	max. of 6 u.p.a.	950	70/50* ft.	50 ft.	50 ft.	50 ft.	40/20** ft.	20, 25 or 35 ft.	20†/ 5** ft.	40†/30** ft.	45%	35 ft.
Cluster Residential	RA-5=	7,000 sq. ft.	80,000 sq. ft./20 ac.	max. of 5 u.p.a.	950	70/50* ft.	50 ft.	50 ft.	50 ft.	40/20** ft.	20, 25 or 35 ft.	20†/ 5** ft.	40†/30** ft.	40%	35 ft.
Cluster Residential	RA-4 ^o	8,400 sq. ft.	80,000 sq. ft./20 ac.	max. of 4 u.p.a.	950	70/50* ft.	50 ft.	50 ft.	50 ft.	40/20** ft.	20, 25 or 35 ft.	20†/ 5** ft.	40†/30** ft.	40%	35 ft.
Other Residential:															
Residential Duplex	RD	20,000 sq. ft.	N/A	max. of 4 u.p.a.	700/unit	75/50* ft.	50 ft.	50 ft.	50 ft.	35 ft.	25 or 35 ft.	35†/ 10** ft.	35† or 25** ft.	40%	2 stories 35 ft.
Multiple-Family (8 units per acre)	Rm-8=	80,000 sq. ft.	N/A	max. of 8 u.p.a.	1BR,600 sf 2BR,750 sf 3BR,900 sf E,450 sf	75 ft.	75 ft.	50 ft.	50 ft.	50 ft.	35 ft.	35 ft.	40 ft.	45%	3 and 4 stories 40 ft.
Fee Simple Townhouse; maximum 6 units per row	FST	80,000 sq. ft.	20 acres	max. of 10 u.p.a.	1BR,900 sf 2BR,1,000 sf	20/end unit 30 ft.	50 ft.	50 ft.	50 ft.	35 or 25** ft.	25 or 35 ft.	40†/10**/0† ft.	35† or 25** ft.	45%	2½ stories 35 ft.

Multiple-Family (12 units per acre)	RM-12=	80,000 sq. ft.	N/A	max. of 12 u.p.a.	1BR,600 sf 2BR,750 sf 3BR,900 sf E,450 sf	75 ft.	75 ft.	50 ft.	50 ft.	35 ft.	35 ft.	40 ft.	45%	3 and 4 stories 40 ft.
Multiple-Family (16 units per acre)	RM-16 ^o	80,000 sq. ft.	N/A	max. of 16 u.p.a.	1BR,600 sf 2BR,750 sf 3BR,900 sf E,450 sf	75 ft.	75 ft.	50 ft.	50 ft.	35 ft.	35 ft.	40 ft.	45%	3 and 4 stories 40 ft.
Residential Mid- Rise	RMR ^o	40,000 sq. ft.	N/A	33/N/A	N/A	60 ft.	75 ft.	50 ft.	50 ft.	35 or 25 ft.	35 ft.	40 ft.	35%	75 ft.
Residential High Rise	RHR ^o	80,000 sq. ft.	N/A	66/N/A	N/A	60 ft.	75 ft.	50 ft.	50 ft.	25 or 35 ft.	40 ft.	40 ft.	45%	16 stories
Mobile Home Park	MHP	See District Regulations												
Mobile Home Subdivision	MHP/S	See District Regulations												
Suburban Condominium	SC	5 acres	5 ac./20 ac.	max. of 5. u.p.a.	N/A	75 ft.	50 ft.	35 ft.	35 ft.	35 ft.	35 ft.	40 ft.	55%	2 stories 35 ft.
Urban Condominium	UC	N/A	10 ac.	N/A	N/A	75 ft.	50 ft.	35 ft.	35 ft.	35 ft.	35 ft.	40 ft.	55%	N/A

Residential Senior Living Facilities	RSL	N/A	3 ac./N/A	.50 NAC .75 CAC 2.0 RAC	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2 stories- NAC, CAC 4 stories- RAC 35 ft.- NAC, CAC 50 ft.- RAC
Office:																	
Low-Rise Office	LRO	20,000 sq. ft.	N/A	N/A	N/A	60 ft.	50 ft.	40 ft.	40 ft.	25 or 35 ft.	15 ft.	30 ft.					
Office/Services	OS	40,000 sq. ft.	N/A	N/A	N/A	75 ft.	50 ft.	50 ft.	50 ft.	25 or 35 ft.	15 ft.	30 ft.	N/A				4 stories
Office/Institutional	OI	20,000 sq. ft.	N/A	N/A	N/A	60 ft.	50 ft.	40 ft.	40 ft.	25 or 35 ft.	15 ft.	30 ft.	N/A				4 stories
Office Mid-Rise	OMR	40,000 sq. ft.	N/A	N/A	N/A	60 ft.	75 ft.	50 ft.	50 ft.	25 or 35 ft.	35 ft.	40 ft.	N/A				8 stories or 104 ft.

Office High-Rise	OHR	80,000 sq. ft.	N/A	2.0 office .25 retail	N/A	60 ft.	75 ft.	50 ft.	50 ft.	50 ft.	25 or 35 ft.	40 ft.	40 ft.	N/A	In excess of 9 stories requires BOC approval; 23 stories max.
Commercial:															
Limited Retail Commercial	LRC	20,000 sq. ft.	N/A	N/A/.057 office	N/A	60 ft.	50 ft.	40 ft.	40 ft.	40 ft.	25 or 35 ft.	15 ft.	30 ft.	N/A	35 ft.
Neighborhood Retail Commercial	NRC	20,000 sq. ft.	N/A	N/A/.5 office	N/A	60 ft.	50 ft.	40 ft.	40 ft.	40 ft.	25 or 35 ft.	15 ft.	30 ft.	N/A	35 ft.
Community Retail Commercial	CRC	20,000 sq. ft.	N/A	N/A/.5 office .25 retail	N/A	75 ft.	50 ft.	40 ft.	40 ft.	40 ft.	25 or 35 ft.	10 ft.	30 ft.	N/A	50 ft.
Neighborhood Shopping	NS	20,000 sq. ft.	N/A	N/A	N/A	60 ft.	50 ft.	40 ft.	40 ft.	40 ft.	25 or 35 ft.	15 ft.	30 ft.	N/A	35 ft.
Planned Shopping Center	PSC	200,000 sq. ft.	5 ac./N/A	N/A	N/A	200 ft.	100 ft.	100 ft.	—	50 ft.	50 ft.	50 ft.	50 ft.	N/A	75 ft.
General Commercial	GC	20,000 sq. ft.	N/A	N/A	N/A	60 ft.	50 ft.	40 ft.	40 ft.	40 ft.	25 or 35 ft.	10 ft.	30 ft.	N/A	4 stories

Tourist Services	TS	20,000 sq. ft.	N/A	N/A	N/A	60 ft.	50 ft.	40 ft.	40 ft.	25 or 35 ft.	10 ft.	30 ft.	N/A	4 stories
Regional Retail Commercial	RRC	40,000 sq. ft.	N/A	N/A	See District Regulations	200 ft.	50 ft.	50 ft.	50 ft.	25 or 35 ft.	15 ft.	30 ft.		100 ft.
Urban Village Commercial	UVC	2 ac.	N/A	N/A	See District Regulations	60 ft.	50 ft.	40 ft.	40 ft.	25 or 35 ft.	10 ft.	30 ft.		40 ft.
Planned Village Commercial	PVC	200,000 sq. ft.	N/A	50 ac./N/A	See District Regulations	200 ft.	50 ft.	40 ft.	40 ft.	25 or 35 ft.	15 ft.	30 ft.		
Industrial:														
Light Industrial	LI	40,000 sq. ft.	N/A			100 ft.	75 ft.	50 ft.	50 ft.	25 or 35 ft.	20 ft.	30 ft.		4 stories
Heavy Industrial	HI	40,000 sq. ft.	N/A			150 ft.	75 ft.	50 ft.	50 ft.	25 or 35 ft.	20 ft.	40 ft.		4 stories

Explanation of Symbols:

- * Distance required fronting cul-de-sac
- ** Distance if interior portion of development (interior shall be considered the portion which does not abut an exterior property boundary)
- † Distance if not interior portion of development
- ‡ Attached units
- ° Commencing April 4, 1996 no new applications for rezoning will be accepted by the board of commissioners for these districts (Ordinance of February 27, 1996)
- °° Commencing April 14, 1999 no new applications for rezoning will be accepted by the board of commissioners (Ordinance of April 13, 1999)
- = The overall density of the development may be reduced due to the topography, drainage, deforestation or sediment and erosion concerns (Ordinance of February 27, 1996)

Notes:

1. Minimum front yard setback is measured from the future public right-of-way (see diagrams within each district for specific setback requirements).
2. Major side yard setback is measured from the future public right-of-way (see diagrams within each district for specific setback applications).
3. See diagrams within each district for specific setback applications.
4. R-12 District requires 15 feet between dwellings.
5. BR = Bedrooms; E = efficiency apartment; sf or sq. ft. = square feet

6. In the event of a conflict between the summary charts or diagrams, the chart shall prevail.
(Ord. of 12-26-72; Ord. of 12-11-90, § 5.0; Ord. of 10-27-92; Ord. of 2-22-94; Ord. of 9-13-94; Ord. of 10-25-94; Ord. of 2-27-96; Ord. of 6-24-97 (eff. 7-1-97); Ord. of 6-23-98; Ord. of 3-9-99; Ord. of 3-16-99;
Ord. of 4-13-99; Ord. of 11-23-99; Ord. of 1-23-01; Ord. of 9-10-02; Amd. of 2-23-16)

Section 134-266 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-266. – Gasoline pumps/electric car charging station(s) and canopies.

(a) Setbacks. Within any zoning district which allows for gasoline pumps and canopies (attached or detached) covering the pumps, pumps and canopies shall be set back at least 15 feet from the future right-of-way. Any permanent building, whether or not attached to a canopy, must be located within the required building setbacks. Within any zoning district which allows for freestanding carwashes, canopies that cover any vehicles being washed on site must be permitted (through both the site plan review and structural review process and subject to the landscape enhancement strip provisions contained in section 134-285) as a permanent structure requiring a footing or foundation to which the canopy is structurally attached, capable of supporting a predesigned load withstanding wind and other natural forces as may be further defined in this chapter, including structural calculations as prepared and certified by a professional designer licensed to practice in the State of Georgia and as distinguished from a temporary canopy or tent and the like (temporary canopies or tents are prohibited). When permitted, these canopies must be at least 15 feet from the future right-of-way. Canopies originally constructed to cover gasoline pumps may be utilized as canopies covering vehicles being washed on site, provided that they shall be set back at least 15 feet from the future right-of-way. Canopies, whether permitted as a permanent structure or preexisting as described above, may not be used for signage purposes.

(b) Service station canopy lighting shall adhere to the following standards:

(1) All luminaries shall be mounted on or recessed into the lower surface of service station canopies and shall be fully shielded and utilize flat lenses. Lighting shall be designed and installed to minimize or eliminate stray lighting onto roadways and adjacent residential properties.

(2) The total light output of luminaries mounted on the lower surface, or recessed into the lower surface of the canopy, and any lighting within signage or illuminated panels over the pumps, shall not exceed 50 foot-candles.

(3) Lights shall not be mounted on the top or sides of a canopy and the sides of a canopy shall not be illuminated.

(4) This section shall be effective October 1, 2022.

(c) Electric car charging station(s)

1. Installation of four (4) or less outdoor charging stations and their associated equipment on non-residentially zoned property:
 - a. Must be installed at least 20-feet from the side or rear property line;
 - b. Cannot be installed in front setback or in any buffers;
 - c. Must be installed next to the same or more intense zoning category;
 - d. No reader boards are allowed if visible from the street; and,
 - e. Lighting for charging stations must be down lighting designed not to spill over onto neighboring property.

2. Installation of five (5) or more outdoor charging stations and their associated equipment on non-residentially zoned property (not allowed on residentially zoned property):
 - a. Require approval of the site plan, landscaping, signage by the Board of Commissioners as an Other Business Item;
 - b. Charging station installation will be considered a site plan modification;
 - c. Cannot be located in a yard adjacent to a residentially zoned property;
 - d. Should be shielded from roadways;
 - e. Lighting for stations must be down lighting designed not to spill over onto neighboring property; and,
 - f. Staff to verify that the installation will not cause a parking shortage on the property (stations are for electric vehicles only).
3. Criteria 1 and 2 of this subsection shall not apply to a single charging station on residentially zoned property. A maximum of one outdoor charging station is permitted on residentially zoned property.
4. Indoor charging stations are exempted from this section.