

AN ORDINANCE

AMENDING, the Comprehensive Development Code of the City of Marietta.

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

Section 1: Division 708.01 is hereby amended as follows:

**708.01 R-1, Single-Family Residential/Agriculture (1 unit/acre),
paragraph H. Bulk and Area Regulations**

H. *Bulk and Area Regulations*

Minimum Lot Size:	25,000 sq. ft.
Maximum Density:	One dwelling unit per acre
Minimum Lot Width:	150 ft./125 ft. for a cul-de-sac
Maximum Building Height:	40 ft.
Minimum Floor Area:	1,800 sq. ft.
Maximum Lot Coverage:	35%
Front Setback (arterial):	50 ft.
Front Setback (collector):	40 ft.
Front Setback (local):	35 ft.
Side Setback (major):	35 ft.
Side Setback (minor):	25 ft.
Rear Setback:	35 ft.

Section 2: Division 708.02 is hereby amended as follows:

**708.02 R-2, Single-Family Residential (2 units/acre),
paragraph H. Bulk and Area Regulations**

I. *Bulk and Area Regulations*

Minimum Lot Size:	15,000 sq. ft.
Maximum Density:	2 dwelling units per acre
Minimum Lot Width:	100 ft./75 ft. for a cul-de-sac
Maximum Building Height:	40 ft.
Minimum Floor Area:	1,600 sq. ft.
Maximum Lot Coverage:	35%
Front Setback (arterial):	40 ft.
Front Setback (collector):	35 ft.
Front Setback (local):	30 ft.
Side Setback (major):	25 ft.
Side Setback (minor):	10 ft.
Rear Setback:	30 ft.

Section 3: Single Family Residential District Standards table is hereby amended as follows:

District	Min Lot Size (sq ft)	Max DUA	Min Lot Width (feet)	Min Tract Size (acres)	Max Bldg Height (feet)	Min Floor Area (sq ft)	Max Bldg Cover (%)	Max Impervious Surface (%)	Rear Setback (feet)	Min Front setbacks			Min Side Setbacks	
										arterial (feet)	collector (feet)	local (feet)	major (feet)	minor (feet)
R-1	25,000	1.0	150/125'	N/A	40	1,800	35	N/A	35	50	40	35	35	25
R-2	15,000	2.0	100/75'	N/A	40	1,600	35	50	30	40	35	30	25	10
R-3	10,000	3.0	85/70'	N/A	35	1,400	35	50	30	40	30	25	25	10
R-4	7,500	4.0	75/60'	N/A	35	1,200	35	50	30	35	25	25	25	10
RA-4	5000 ^a 12,000 ^b	4.0	40*/30	N/A	35	1,200	35	50	30	35	25	25	25	10
RA-6	4,000 ^a 11,000 ^c	6.0	40*/30	2	35	1,150	35	50	30	40	25	25	25	20
RA-8	3,000 ^a 13,500 ^d 17,000 ^e	8.0	35*/25	4	35	1,100	35	50	30	40	25	25	25	20
PRD	4,000	N/A	N/A	3	N/A	1,400	N/A	60	N/A	N/A	N/A	N/A	N/A	N/A
MHP	4,000	8.0	50	10	15	N/A	40	70	10	N/A	N/A	N/A	10	10

Notes:

- a. Fee Simple Townhouse
- b. Detached unit
- c. Duplex
- d. Triplex
- e. Quadplex
- f. On cul-de-sac
- g. If required parking is provided within the front setback

Section 4: Division 708.26 LI, Light Industrial, paragraph F. Accessory Structures is hereby amended as follows:

F. *Accessory Structures.*

1. All such structures shall be located upon the same lot and to the side or rear of the principal use at least 15 feet from side or rear lot lines. In cases of corner lots, the accessory structure may not be closer to any right-of-way than the principal building.
2. Any accessory building in excess of 2,000 square feet of gross space must meet the setback standards for a principal use and shall be architecturally compatible with the principal structure.

3. When an accessory building is attached to the principal building in any manner, it shall be deemed part of the principal structure and subject to all bulk and area requirements of same.
4. No accessory structure shall be constructed upon a lot before the principal structure.
5. No accessory structure may exceed the more restrictive of either 20 feet or the height of the principal building, except that height limitations do not apply to silos, storage tanks, and other such similar industrial storage structures, provided that when such structures are located within 100 feet from any property zoned for residential purposes, then the maximum height of all such structures is limited to 50 feet.
6. Swimming pools must be enclosed by a fence not less than 4 feet in height with a self-closing, self-latching gate and must comply with all applicable safety and health ordinances.
7. Heating and air conditioning units may encroach 5 feet into the required rear or side setback.

Section 5: Division 708.27 HI, Heavy Industrial, paragraph F. Accessory Structures:

F. Accessory Structures.

1. All such structures shall be located upon the same lot and to the side or rear of the principal use at least 15 feet from side or rear lot lines. In cases of corner lots, the accessory structure may not be closer to any right-of-way than the principal building.
2. Any accessory building in excess of 2,000 square feet of gross space must meet the setback standards for a principal use and shall be architecturally compatible with the principal structure.
3. When an accessory building is attached to the principal building in any manner, it shall be deemed part of the principal structure and subject to all bulk and area requirements of same.
4. No accessory structure shall be constructed upon a lot before the principal structure.
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6. Swimming pools must be enclosed by a fence not less than 4 feet in height with a self-closing, self-latching gate and must comply with all applicable safety and health ordinances.
7. Heating and air conditioning units may encroach 5 feet into the required rear or side setback.

Section 6: Division 710.11, Height requirements exceptions, is hereby amended as follows:

710.11 Height requirements exceptions

- Except as otherwise provided, height limitations stated in this article shall not apply to:
- A. Belfries, cupolas, domes, chimneys and smokestacks, provided such structure does not exceed 15 percent of the maximum building height;
 - B. Bulkheads, elevator penthouses, water tanks and heating and air conditioning units, provided that such structures shall not cover more than 25 percent of the total roof area of the building on which such structures are located or exceed 15 percent of the maximum building height.
 - C. In industrial districts (LI, HI, PID), silos, storage tanks, and other accessory structures, provided that when such structures are located within 100 feet from any property zoned for residential purposes, then the maximum height of all such structures is limited to 50 feet.

Section 7: Division 724.02 Definitions of terms, is hereby amended so as to include the following definitions:

Building Height: Except as otherwise provided, the vertical distance measured from the finished floor elevation to the roof line.

Finished floor elevation: the lowest floor level that is entirely at or above the ground level (basements are not considered the first floor level).

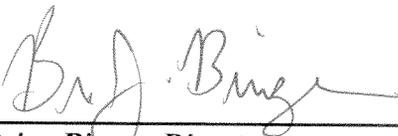
Roof line: The top edge of the roof or top of the parapet, whichever forms the dominant top line of the building silhouette.

Section 8: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

Section 9: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

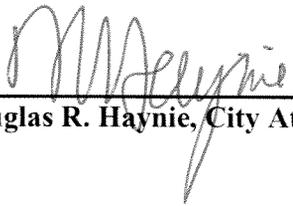
Section 10: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:



Brian Binzer, Director
Department of Development Services

Approved as to form:

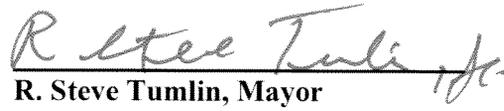


Douglas R. Haynie, City Attorney

Approved by City Council:

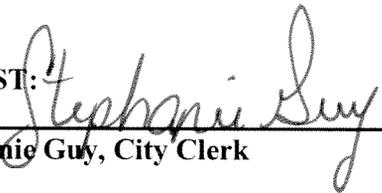
APPROVED:

DATE: September 9, 2015



R. Steve Tumlin, Mayor

ATTEST:



Stephanie Guy, City Clerk