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**708.16 CRC, Community Retail Commercial**

A. Purpose and Intent.

The CRC district is intended to provide suitable areas for the provision of retail and personal services oriented towards those neighborhoods making up the adjacent community. The regulations which apply within this district are designed to encourage the formation of compatible and economically healthy business and service uses which benefit from close proximity to each other.

B. Permitted Uses.

1. Adult establishments (subject to the requirements of Marietta Municipal Code Section 8-20-190).<sup>1</sup>
2. Ambulance services.
3. Amusement centers and arcades, including billiards and pool halls.
4. Animal hospitals, kennels clinics.
  - a) All structures shall be located and activities conducted at least 100 feet from any property zoned for residential purposes.
  - b) All animals shall be located within an enclosed building and adequate sound and odor control shall be maintained.
5. Animal grooming shops. All structures shall be located and activities conducted at least 100 feet from any property zoned for residential purposes.
6. Athletic and health clubs.
7. Automobile parts and tire store.
  - a) There shall be no dismantling of vehicles on the premises to obtain auto parts.
  - b) The only auto part installation that shall be permitted in connection with such use shall be the installation of tires and the installation of minor maintenance or accessory parts.
  - c) Major auto repair shall not be permitted in connection with such uses.
  - d) Minor repair and maintenance may be permitted provided such repair and maintenance shall be incidental to the normal up-keep of an automobile and shall be carried on entirely within an enclosed building.
  - e) Such use shall be at least 200 feet from any property zoned R-1, R-2, R-3, R-4, RA-4, RA-6, RA-8, RM-8, RM-10, RM-12, PRD-SF, or PRD-MF.
  - f) Automobile parts and tire stores are not permitted on properties within Tier A of the Commercial Corridor Design Overlay District.
8. Automobile, trailer and boat sales.
  - a) Minimum two (2) acre lot size.
  - b) All vehicles shall be set back at least 10 feet from the street right-of-way line.
  - c) Such use shall be at least 200 feet from any property zoned R-1, R-2, R-3, R-4, RA-4, RA-6, RA-8, RM-8, RM-10, RM-12, PRD-SF, or PRD-MF.
  - d) Automobile, trailer and boat sales are not permitted on properties within Tier A of the Commercial Corridor Design Overlay District.
9. Automotive repair shops (including paint and body).
  - a) Such use shall not be permitted within 200 feet of any property used for a school, park, playground or hospital.
  - b) All activities shall be carried on entirely within an enclosed building.
  - c) Such use shall be at least 200 feet from any property zoned R-1, R-2, R-3, R-4, RA-4, RA-6, RA-8, RM-8, RM-10, RM-12, PRD-SF, or PRD-MF.

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<sup>1</sup> #20220751, 9/14/22

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- d) All outdoor storage must be to the rear of the principal structure and enclosed by an opaque fence no less than six feet in height.
  - e) Automotive repair shops (including paint and body) are not permitted on properties within Tier A of the Commercial Corridor Design Overlay District.
10. Automobile service stations.
- a) All gasoline pumps, tanks and other service facilities shall be set back at least 20 feet from all property lines.
  - b) Canopies over fuel islands shall not encroach within 15 feet of any property line.
  - c) Minor automobile repair shall be allowed in conjunction with such use provided all such activities shall take place within an enclosed building.
  - d) No outside storage or engine/body dismantling is allowed.
  - e) Such use shall be at least 200 feet from any property zoned R-1, R-2, R-3, R-4, RA-4, RA-6, RA-8, RM-8, RM-10, RM-12, PRD-SF, or PRD-MF.
  - f) Automobile service stations are not permitted on properties within Tier A of the Commercial Corridor Design Overlay District.
11. Banks and financial institutions.
12. Barber and beauty shops.
13. Brew pubs (subject to Marietta Municipal Code Chapter 8-8 Alcoholic Beverages).
- a) Production shall be in a wholly enclosed building.
  - b) Production space shall be limited subject to State Law.
14. Breweries, including accessory tasting rooms (subject to Marietta Municipal Code Chapter 8-8 Alcoholic Beverages).
- a) Production shall be in a wholly enclosed building.
  - b) Any building or structure established in connection with such use shall be set back not less than 50 feet from any residentially zoned property.
  - c) Production space over 15,000 square feet shall require a Special Land Use by the City Council subject to Section 712.01.
  - d) A Special Land Use Permit shall be required for any such use located adjacent to residentially zoned property.
15. Convenience stores. Such uses may include self-service fuel sales, provided:
- a) All gasoline pumps, tanks and other service facilities shall be set back at least 20 feet from all property lines.
  - b) Canopies over fuel islands shall not encroach within 15 feet of any property line.
  - c) No automotive repair is allowed.
  - d) Convenience stores with self-service fuel sales are not permitted on properties within Tier A of the Commercial Corridor Design Overlay District.
16. Car maintenance facilities such as brake repair, installation of tires, tune-up shops, oil change services, emission stations and the like.
- a) All activities shall take place within an enclosed building.
  - b) No outside storage or engine/body dismantling is allowed.
  - c) Such use shall be at least 200 feet from any property zoned R-1, R-2, R-3, R-4, RA-4, RA-6, RA-8, RM-8, RM-10, RM-12, PRD-SF, or PRD-MF.
  - d) Car maintenance facilities are not permitted on properties within Tier A of the Commercial Corridor Design Overlay District.
17. Carwashes.
- a) Carwashes are not permitted on properties within Tier A of the Commercial Corridor Design Overlay District.

18. Clinics and health centers.
19. Coin operated laundries and dry cleaning pickup establishments.
20. Coliseum, stadium. Minimum lot size of 5 acres.
21. Commercial landscapers. Outdoor storage shall be at least 25 feet from the street right-of-way. Such use shall be at least 200 feet from any property zoned single family residential.
22. Copy centers.
23. Cultural facilities. Art galleries, museums, theaters, libraries, and other uses similar in character to those listed.
24. Day care centers and nursery schools, provided:
  - a) Such use must obtain certification from the Georgia Department of Human Resources
  - b) Any outdoor play area shall be enclosed by a fence not less than 4 feet in height and located in the rear yard area of the principal building with a self-closing, self-latching gate.
25. Distilleries, including accessory tasting rooms (subject to Marietta Municipal Code Chapter 8-8 Alcoholic Beverages).
  - a) Production shall be in a wholly enclosed building.
  - b) Any building or structure established in connection with such use shall be set back not less than 50 feet from any residentially zoned property.
  - c) Production space over 15,000 square feet shall require a Special Land Use by the City Council subject to Section 712.01).
  - d) A Special Land Use Permit shall be required for any such use located adjacent to residentially zoned property.
26. Drug abuse treatment centers (outpatient)
27. Dry cleaning utilizing petrochemicals.
  - a) Such use shall not be established within 100 feet of any property used or zoned for residential purposes.
  - b) No such plant may not serve more than five dry-cleaning pickup establishments other than itself.
28. Eating and drinking establishments, including drive-in fast food restaurants, but not including mobile retail food establishments. Outdoor dining facilities may encroach into required setbacks only upon approval from the Fire Department, Public Works Department and Planning and Zoning.<sup>2</sup>
29. Exterminating facilities.
30. Farm and garden supply stores, including nurseries and greenhouses. Outdoor storage shall be at least 25 feet from the street right-of-way.
31. Funeral homes. All structures shall be located and activities conducted at least 100 feet from any property zoned for residential purposes.
32. Golf courses, club houses and golf/baseball driving ranges.
  - a) The facility shall be enclosed by a wall or fence and buffer area of 10 feet in depth to screen adjacent property.
  - b) Central loudspeakers are prohibited.
  - c) Any building or structure established in connection with such use shall be set back not less than 100 feet from rear and side property lines.
33. Grocery and food stores.
34. Helicopter landing areas. Minimum one acre. Must be enclosed by a fence no less than 8 feet in height.

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<sup>2</sup> Legistar #20190284, 9/11/2019

35. Hospitals.
36. Hotels and motels.
  - a) Such use shall not be established within 300 feet of any property zoned for residential use.
  - b) Maximum density of 100 guest units per acre.
37. Lumber, hardware, paint, glass and wallpaper stores. Outdoor storage shall be at least 50 feet from the street right-of-way line and be screened with a solid fence or wall no less than six feet in height.
38. Medical and dental laboratories, provided chemicals are not manufactured on site.
39. Mini warehouses and self-storage facilities.
40. Movie theaters.
41. Non-automotive repair service centers. No outside storage is permitted.
42. Parking lots and parking garages as a primary use. Up to 75% of the gross floor area of the ground floor level may be devoted toward commercial use oriented towards pedestrian traffic
43. Pharmacies and drug stores.
44. Places of assembly.
45. Plumbing and heating equipment dealers. Outdoor storage shall be at least 50 feet from the street right-of-way. Such use shall be at least 100 feet from any property zoned for residential purposes.
46. Printing services.
47. Professional and general business offices. No outside storage is permitted.
48. Radio, recording and television studios.
49. Recreation facilities, indoor and outdoor
50. Retail trade involving the sale of merchandise on the premises, provided no single tenant occupies more than 40,000 square feet. Appropriate uses include, but are not limited to:
  - a) book and video stores (non-adult)
  - b) camera shops
  - c) florists
  - d) drug stores
  - e) gift shops
  - f) toy stores
  - g) pet grooming and supply shops
  - h) jewelry stores
  - i) furniture, home furnishings and equipment stores
  - j) pawn shops
  - k) office supplies
  - l) sporting goods and hobbies
  - m) apparel stores
  - n) beverage shops

All retail trade involving the sale of merchandise on the premises, where a single tenant occupies more than 40,000 square feet are subject to the following conditions:

1. All exterior building elevations that face public streets and/or customer parking areas shall be designed so that there are no large expanses of blank walls. These building facades shall include architectural elements such as, but not limited to, doors, entry areas, display windows, pilasters, columns, horizontal and vertical offsets, material and color variations, decorative cornices, awnings, canopies, murals, and graphics. In order to assure conformance with this requirement, exterior-building elevations must be reviewed and approved as a part of the overall final site plan review process.

2. Any roof or part thereof of a large retail establishment that is visible from a public right of way must conceal rooftop equipment such as HVAC units from the public view.
3. Bulk sanitation containers shall be enclosed and have a solid gate. The enclosure shall be on all four sides and be constructed of material that is opaque and compatible with the design, materials and color sections of the principle building.
4. Sidewalks, no less than eight (8) feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. No displays shall be placed within this eight (8) foot sidewalk width. Such sidewalks shall be located at least six (6) feet from the façade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the façade.
5. Exterior finishes shall be primarily masonry, stone, or a combination of these. Exterior finishes that are plain concrete block, plain concrete, predominantly metal, plywood, split-faced block, sheet pressboard, and other similar materials are not allowed.
6. All outdoor lighting shall be designed so as not to adversely impact surrounding uses, while also providing a sufficient level of illumination for access and security purposes. Such lighting shall not blink, flash, oscillate, or be of unusually high brightness. Also, parking areas shall be illuminated so as to provide appropriate visibility and security during hours of darkness.
7. Sidewalks at least eight (8) feet in width shall be provided along all sides of the lot that abut a public street.
8. Continuous internal pedestrian walkways, no less than eight (8) feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all large retail establishments on the site. At a minimum, sidewalks shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than fifty (50) percent of the length of the walkway.
51. Shopping centers (up to 200,000 square feet in gross floor area, including outparcels). All businesses and uses within these centers must be permissible within the district in their own right (and remain subject to any relevant distancing requirements) except dry cleaning plants utilizing petrochemicals. All loading areas shall be located to the rear. Car rental facilities shall meet the following additional criteria:
  - a) All vehicles must be stored or otherwise kept to the rear of the shopping center.
  - b) No vehicle maintenance shall be performed on site except vacuuming and washing of vehicles.
  - c) The number of vehicles stored or otherwise kept on site cannot exceed twenty.
  - d) All vehicles on site must be in good working order.
52. Stations, bus or train terminals for passenger service with minimum freight.
53. Taxi stands and dispatching agencies.
54. Vehicle leasing or rentals.
  - a) All vehicles shall be set back at least 10 feet from the street right-of-way line.
  - b) Such use shall be at least 200 feet from any property zoned R-1, R-2, R-3, R-4, RA-4, RA-6, RA-8, RM-8, RM-10, RM-12, PRD-SF, or PRD-MF.
  - c) Vehicle leasing or rentals is not permitted on properties within Tier A of the Commercial Corridor Design Overlay District.
55. Wineries, including accessory tasting rooms (subject to Marietta Municipal Code Chapter 8-8 Alcoholic Beverages).
  - a) Production shall be in a wholly enclosed building.



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- b) Any building or structure established in connection with such use shall be set back not less than 50 feet from any residentially zoned property.
  - c) Production space over 15,000 square feet shall require a Special Land Use by the City Council subject to Section 712.01.
  - d) A Special Land Use Permit shall be required for any such use located adjacent to residentially zoned property.
56. Other uses which are substantially similar in character and impact to those uses enumerated above. Such uses must clearly meet the purpose and intent of this zoning district.
57. Accessory uses and structures incidental to any legal permitted use.

C. Temporary/Conditional Uses Allowed by the Director of the Department of Development Services.

- 1. Certain temporary uses such as tent sales, sidewalk sales, or the sale of goods from any temporary location, including but not limited to, holiday sales, fireworks sales or Christmas tree sales, may be permitted within this district, provided:
  - a) Written permission of the property owner is obtained.
  - b) Such use does not last longer than 45 days consecutively.
  - c) These uses are not located within 25 feet of any public right-of-way.
  - d) Adequate parking, ingress and egress are provided on site.
  - e) A temporary use permit is applied for and approved by the Director of the Department of Development Services.
  - f) No more than 2 temporary use permits may be allowed per parcel for a total of 90 days annually. (Leases for temporary sales existing at the time of revision to this ordinance will be honored until the expiration of the lease or until December 31, 2007, whichever is earlier.)
- 2. Mobile Retail Food Establishment shall be allowed on property zoned CRC according to the restrictions listed below:
  - a) Written permission of the property owner is obtained.
  - b) Such use does not last longer than 3 days consecutively and 12 days annually.
  - c) These uses shall be located at least 40 feet from any property line and not within any public right-of-way or City owned property, unless otherwise authorized by the City.
  - d) If property is within fifty (50) feet of a residentially zoned parcel, measured property line to property line, then food truck operations shall cease at 9:00 p.m.
  - e) Adequate paved parking, ingress and egress are provided on site.
  - f) A temporary use permit is applied for and approved by the Director of the Department of Development Services.
  - g) The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to Mobile Retail Establishments; all such variance requests must be submitted to City Council. Variances for mobile food establishments shall be considered according to the criteria defined under §712.01 (E).<sup>3</sup>

D. Special Uses Permitted by Board of Zoning Appeals.

Not applicable in this district.

E. Special Uses Permitted by City Council.

- 1. [Reserved.]<sup>4</sup>

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<sup>3</sup> Legistar #20190284, 9/11/2019

<sup>4</sup> #20220751, 9/14/22

2. Breweries, distilleries and wineries, including accessory tasting rooms (subject to Marietta Municipal Code Chapter 8-8 Alcoholic Beverages).
  - a) Production shall be in a wholly enclosed building.
  - b) Any building or structure established in connection with such use shall be set back not less than 50 feet from any residentially property.
  - c) Production space over 15,000 square feet shall require a Special Land Use by the City Council subject to Section 712.01.
  - d) A Special Land Use Permit shall be required for any such use located adjacent to residentially zoned property.
3. Drug abuse treatment centers (inpatient)<sup>5</sup>
  - a) Must attain all required state certification
  - b) Maximum 20 beds per gross acre of development
  - c) Such use shall be located at least 750 feet from residentially zoned property.
4. Indoor BB/air rifle shooting ranges operated by educational, civic or non-profit organizations (see standards set forth in Section 712.01).
  - a) All activities must take place in a wholly enclosed building with walls constructed of brick, concrete or masonry.
  - b) No weapon other than BB/air rifles with a caliber of .177 or less, and a muzzle velocity of no more than 450 feet per second shall be allowed.
5. Shelters for the Homeless
  - a) Minimum one acre lot size.
  - b) Such use shall be located at least 750 feet from residentially zoned property.
  - c) Such use may not be established within 1,000 feet of any other shelter for the homeless.
  - d) All facilities shall comply with the criteria established for residential uses as per Southern Building Code Congress International (SBCCI) as amended.
6. Telecommunications facilities (see standards set forth in Section 712.07).

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 10 feet from side or rear lot lines. Accessory structures may not be located within 25 feet of any residential property. 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 1,500 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 building shall be constructed upon a lot before the principal building, nor shall it contain a greater floor area than the principal structure.
5. No accessory structure may exceed the more restrictive of either 25 feet or the height of the principal building,
6. Heating and air conditioning units may encroach 5 feet into the required rear or side setback.
7. Recycling collection/drop off centers.
  - a) No outside storage allowed.

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<sup>5</sup> Legistar #2020791, 12/9/2020

- b) Container bins and/or donation boxes are limited to rear or side yards and must be located in such a manner as to be screened from view from the public right-of-way. When a business is located on a corner lot, container bins and/or donation boxes must be placed to the rear or interior side of the property such that the location is not visible from the right-of-way of any street.
- c) Container bins and/or donation boxes shall not be located within 50 feet of a structure utilized for detached single-family residential purposes.
- d) Location of container bins and/or donation boxes shall be approved by the Director of the Department of Development Services.

**G. Use Limitations.**

- 1. All outside storage areas must be located in the side or rear yard and must be screened by a solid fence no less than six feet in height. Limited to 25% of total lot. Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited<sup>6</sup>.
- 2. No manufacturing processes are permitted.
- 3. Building design and materials may be of the developer's choosing; however:
  - a. Any façade of a building where any portion of that façade is visible from a roadway shall be constructed with a mixture of brick, stone, rock, wood, glass, cementitious siding, aluminum composite material (ACM) panels, or split-faced concrete block (defined as a concrete building unit which appears to have been hand-chiseled (or "split") to give it a textured look).
  - b. The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to building design and materials, as contained in this paragraph; all such variance requests must be submitted to City Council for consideration.

**H. Bulk and Area Regulations.**

Minimum Lot Size:	20,000 sq. ft.
Minimum Lot Width:	100 ft.
Maximum Building Height:	75 ft.
Maximum Floor Area Ratio:	0.50
Maximum Impervious Surface:	80%
Minimum landscaped area:	15%
Front Setback (arterial):	40 ft.
Front Setback (collector):	35 ft.
Front Setback (local):	35 ft.
Side Setback (major):	25 ft.
Side Setback (minor):	15 ft.
Rear Setback:	35 ft.

**I. Landscape and Buffer Requirements.**

When a property in this district directly abuts any residential district, a 40 foot buffer shall be established. (See standards set forth in Section 710.05).

**J. Zoning Bonuses and Incentives.**

The following zoning incentives are designed to allow specific benefits to property owners, developers, and end users of a property and not for the purpose of circumventing any other provision of this

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<sup>6</sup> Legistar #20211026, 1/12/2022





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ordinance. If a specific bonus or incentive is determined to be contrary to any provision of this ordinance, the City reserves the right to deny a specific bonus or incentive on that basis alone.

1. If required parking is provided exclusively in the rear yard, then the required front yard setback may be reduced 50%.
2. Where parking spaces are provided in on-site underground or deck parking, a bonus floor area of 350 square feet for each provided parking space shall be allowed.
3. Any entity that retrofits an existing site without vehicular or pedestrian interconnection to provide permanent access to adjacent sites' parking and sidewalks shall be allowed a 10% reduction in required parking.
4. All developments wherein the front door is located within 250 feet of a public transit stop shall be allowed a 10% reduction in required parking.