



728.01 Generally

No lot or parcel in the City of Marietta shall hereafter be combined, subdivided or have a boundary line revision without obtaining prior approval from the City. The subdivision of land shall be based on an approved plat and may not be recorded solely on the basis of a metes and bounds description. The applicant shall submit a plat proposal in sufficient detail to the Development Services Director who shall verify conformity with all City regulations. The Public Works Director and the Development Services Director shall represent the City of Marietta in all negotiations with property owners concerning platting changes prior to submission of such plat for recording at the Clerk of the Superior Court. However, the Mayor and Council maintain final approval of all plats within the City except as otherwise noted herein.

728.02 Preapplication procedures

Prior to the recording of a new or revised plat, the applicant shall confer with the Development Services Director and Public Works Director by submitting the proposal in sufficient detail as to allow staff to verify conformity with current regulations as well as determine whether the proposal requires additional right-of-way, street improvements or utility installations. General information submitted should include a description or outline of the existing and/or proposed conditions of the site, existing covenants, available community facilities and utilities, a sketch map containing the proposed layout of streets, lots and other features salient to the proposal.

- A. An exemption plat is a plat designed to combine and/or subdivide property, does not create more than three new parcels, and does not require the installation of new public infrastructure.
- B. The division of a parcel resulting in three or more new lots is considered a subdivision development and shall require the submittal of a preliminary plat, subdivision improvement construction plans, and final plat subject to the requirements below.
- C. If the proposed replatting requires the dedication of additional street right-of-way, additional street improvements or utility installations other than house connections, the applicant must obtain approval from the Mayor and Council in accordance with the requirements of this Article prior to submitting such plat for recording at the Clerk of the Superior Court.
- D. Minor revision of bearings and distances may be approved by Development Services Director, who shall also receive certification that the applicant maintains over 50% ownership interest of all parcels affected by the revision. Any revised final plat must be re-recorded at the Clerk of the Superior Court. The Public Works Director shall receive copy of the final plat in a digital format which meets or exceeds City standards to be filed in the City records.

(Code 1996, Sec. 7-8-4-6-010, 7-8-4-6-060, 7-8-4-6-070, 7-8-4-6-080)

728.03 Exemption plats

An exemption plat is a plat designed to combine and/or subdivide properties and does not require the installation of new public infrastructure, such as street improvements other than sidewalks, or underground utility installations other than house connections.

- A. Exemption plats cannot be used to create more than three new parcels.
- B. Exemption plats cannot be used if new public infrastructure is required to serve the new lots.
- C. Properties with different zoning classifications cannot be combined.
- D. The plat cannot create, expand, extend, or enlarge any nonconformities.



**ZONING ORDINANCE
DIVISION 728
PLATTING PROCEDURES**

E. The applicant shall be required to submit an exemption plat to the Development Services Director for City approval prior to recording such plat with the Clerk of the Superior Court. A copy of the approved plat shall be submitted to the Department of Development Services in a digital format which meets or exceeds City standards. Exemption plats shall be reviewed and approved by City staff and approval by the Mayor and City Council shall not be required. Signatures by City staff on exemption plats shall be valid for 90 days. If the exemption plat is not recorded within 90 days of signed approval, the exemption plat shall become void and the plat must be resubmitted and/or recertified. Exemption plats shall contain that data necessary to allow complete and proper review by City staff and include at a minimum:

1. Title, graphic scale, north arrow, and date.
2. Note indicating purpose of plat and including existing address(es) with tax identification number(s) and proposed address(es).
3. Bulk and area regulations according to zoning designation.
4. Zoning stipulations and variances (if any) with number references and the date approved.
5. Address numbers, street name(s), subdivision names
6. Boundaries and total area of the tract of all affected parcels of land.
7. Location of existing structures, including notation if they are to be retained or demolished. If a parcel is being divided, all buildings through which a new property line passes must be demolished prior to approval of the exemption plat.
8. Names of adjoining property owners and/or subdivision names with zoning designation(s).
9. Location of public right-of-way, easements (including type and size), and buffer areas.
10. Applicable endorsements from Section 728.10.
11. Endorsements from any applicable outside agencies.
12. Signatures from all owners receiving or granting property.

728.04 Preliminary plat and detailed plan application procedures

All preliminary plats and detailed plans require the approval of the Mayor and Council and shall be submitted for review through the preparation of a preliminary plat or detailed plan in accordance with those standards set forth herein.

A. The preliminary plat or detailed plan and supplementary data shall be submitted to the Development Services Director for review by all relevant city staff. Each department will either recommend approval or reject the plat or plan with written comments within forty-five (45) days of receipt. If not recommended for approval, the applicant shall revise the plat or plan and resubmit until deemed in compliance with all necessary codes. Once staff concludes their review and recommends approval, the preliminary plat or detailed plan shall automatically be placed on the next City Council meeting agenda, regular or called, for their consideration. If the plat or plan in question is approved, either as is or as amended, the plat or plan shall be approved as per the motion. If the plat or plan is not approved, it shall be referred back to the Development Services Director for modification and resubmission by the developer/applicant, and the process shall start over.

B. The Development Services Director shall return one copy of the preliminary plat or detailed plan to the applicant, with all comments, actions taken, and any changes required noted thereon. The Department of Development Services shall retain a copy in a digital format which meets or exceeds City standards of all approved preliminary plats.



- C. Approval of a preliminary plat or detailed plan shall not constitute approval of the final plat. Rather, it shall be deemed an expression of conditional approval of the layout submitted on the preliminary plat or detailed plan as a guide to the preparation of the final plat.
- D. Detailed plans shall follow the same application procedure as preliminary plats.
(Code 1996, Sec. 7-8-4-6-040)

728.05 Data requirements for preliminary plats and detailed plans

All preliminary plat and detailed plans shall contain that data necessary to allow complete and proper review by staff as required to support the preliminary design of the proposed development. Such information shall be at a scale of not less than 1:100 and include at a minimum:

- A. Title, Graphic scale, north arrow, and date.
- B. Architectural elevations of all sides of all proposed buildings.
- C. Zoning district and any applicable zoning stipulations or variances, with reference numbers.
- D. Boundary lines - bearings and distances.
- E. Easements - location, width, purpose and controlling entity.
- F. Streets on and adjacent to the tract.
- G. Utilities on and adjacent to the tract
- H. All sites to be reserved or dedicated for parks, playgrounds, or other public uses.
- I. All sites to be utilized for nonpublic uses exclusive of single family dwellings.
- J. Minimum building setback lines.
- K. Site data including number of residential lots, typical lot size, and acres in park.
- L. Tree protection and replacement plan in conformity with section 712.08.
- M. Other significant conditions on the tract such as water courses, marshes, rock outcroppings.
- N. Proposed public improvements including roadway or other major improvements planned by public authorities for future construction on or near the tract.
- O. Key plan or vicinity map showing location of the relating or surrounding area and streets.
- P. Traffic study, if necessary, as determined by the Director of Public Works.
- Q. Certification of registered civil engineer or surveyor.

(Code 1996, Secs. 7-8-4-8-020, 7-8-4-8-030)

728.06 Subdivision improvements required

Upon approval of a preliminary plat or a Planned Development's detailed plan, the applicant shall submit to the Public Works Director a copy of subdivision improvement construction plans in a digital format which meets or exceeds City standards which must include the following:

- A. Site plan containing the information required in this Article.
- B. Subsurface conditions on the tract - if required by the Public Works Director, location and results of tests made to ascertain subsurface soil, rock and ground water conditions; depth to ground water unless test pits are dry at a depth of five feet; location and results of soil percolation tests if individual sewage disposal systems are proposed.
- C. Streets on and adjacent to the tract - name and right-of-way width and location; type, width and elevation of surfacing; any legally established centerline elevations; walks, curbs, gutters, culverts, etc.
- B. Grading plan indicating the existing and proposed final topographic information.



- C. Horizontal and vertical alignment of the proposed roadways with appropriate construction details including, at a minimum, typical paving sections, curb and gutter dimensions, intersection details, cul-de-sac dimensions, and road widening specifications.
- D. Storm drainage plan, which shall contain the following information:
 1. Location of proposed drainageways, streams and ponds in the subdivision.
 2. Location and size of proposed drainage structures, including culverts, bridges, pipes, drop inlets, invert elevations, and headwalls.
 3. Area of land contributing runoff to each drainage structure, and name of formula and runoff constant used.
 4. Location of easements and right-of-way for drainage ways maintenance accesses therefor.
 5. Typical cross-section of each drainageway.
 6. Direction of water flow throughout the subdivision.
- E. Erosion control plans compliant with all city and state erosion control laws.
- F. Sanitary sewer plan, which shall contain the following information:
 1. Location and size of all existing and proposed sewers in the subdivision and tie points of the subdivision. Location of invert elevations and sewer laterals.
 2. Direction of flow of each sewer line.
 3. Location of each manhole and other sewerage system appurtenances, including lift stations, oxidation ponds and treatment plants.
- F. Water distribution plan including the location and size of water distribution systems, including pipes, laterals, valves, fittings, hydrants, high pressure pumping equipment, and other integral units of the water system.
- G. Overhead utility poles and street lights.
- G. Tree replacement and protection plan in conformity with Section 712.08.
- H. Traffic calming plan, when required by the Public Works Director.
- I. Certification of registered civil engineer.

(Code 1996, Sec. 7-8-4-8-040)

Cross reference—Required improvements, div. 732.

728.07 Final plat application procedures

Final plats shall conform substantially to the preliminary plat or detailed plan as approved and cannot be submitted for approval until the installation of all required improvements, including but not limited to, roadways, water distribution lines, sanitary sewer lines, storm drainage facilities, and other required improvements, is completed. The Public Works Director shall verify the completion of said improvements and any other conditions prior to the acceptance of any proposed final plat. If desired by the applicant, the final plat may constitute only a portion of an approved preliminary plat or detailed plan, provided that such portion conforms to all requirements of these obligations. At the time the final plat is submitted for approval, the applicant shall provide a maintenance bond or other acceptable performance guarantee in the amount of 10 percent of the total cost of the subdivision improvements. Bonds shall remain in effect until the last Certificate of Occupancy is issued for the development. Extensions may be approved by the Public Works Director, if required. The applicant shall be responsible for repairing streets and related subdivision improvements which may be damaged or fail due to improper installation. All required subdivision improvements shall comply with Public Law 101-336, the Americans with Disabilities Act of 1990. Any improvements which do not comply with said Act shall be redone at the applicant's expense and final approval of the plat shall not be given until such work is completed in compliance with the Act. All plans submitted to the City for review shall contain a certificate that said



**ZONING ORDINANCE
DIVISION 728
PLATTING PROCEDURES**

improvements fully comply with the American with Disabilities Act of 1990, Public Law 101-336, as amended and the City will rely upon such certificate in approving preliminary and final plats.

- A. The final plat and supplementary data shall be submitted to the Development Services Director in a digital format which meets or exceeds City standards.
- B. The Public Works Director and Development Services Director shall investigate the final plat and supplementary data to determine whether it conforms to the approved preliminary plat (including any required changes) and all other city regulations. The final plat and supplementary data shall be submitted to the Development Services Department for review by all relevant city staff. Each department will either approve or reject the plat with written comments within forty-five (45) days of receipt. If not recommended for approval, the applicant shall revise the plat and resubmit until deemed in compliance with all necessary codes. Once staff concludes their review and recommends approval of the final plat, the final plat shall be placed on the next available City Council meeting agenda, regular or called, for their consideration. If the plat in question is approved, either as is or as amended, the plat shall be approved as per the motion. If the plat is not approved, it shall be referred back to the Development Services Director for modification and resubmission by the developer/applicant, and the process shall start over.
- C. No building permits for vertical structures, except retaining walls and permits allowed under Section 728.11, Model Home Permits, shall be issued until after the final plat has been recorded.
- D. Within 30 days of approval of the final plat by the Mayor and Council, the applicant shall submit a copy of the final plat recorded by the Clerk of the Superior Court of Cobb County, Georgia in a digital format which meets or exceeds City standards.

728.08 Data requirements for final plats

- A. All plats shall be prepared in accordance with O.C.G.A. § 15-6-67 and shall be at a scale of not less than 1:100. If necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions the final plat may be submitted for approval progressively in contiguous sections satisfactory to the Mayor and Council. The final plat shall contain, at a minimum:
 1. Primary control points, approved by the Public Works Director, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
 2. Title, graphic scale, north arrow and date.
 3. Name of Developer and/or Property Owner's Association.
 4. Subdivision and street names, subject to staff review to prevent duplication and/or confusion.
 5. Minimum building setback line on all lots and other sites.
 6. The final plat shall show the number to identify each block, lot or site and shall be submitted to the appropriate city department for the assignment of street addresses.
 7. Tract boundary lines, right-of-way lines of streets, easements and other right-of-way, and property lines of lots: with accurate dimensions, bearings, or deflection angles, radii arcs, and central angles of all curves.



**ZONING ORDINANCE
DIVISION 728
PLATTING PROCEDURES**

8. Exact locations and widths of all proposed sidewalks and streets, noted as public or private, and names of all streets, as well as a tabular chart which specifies the lengths of each public street right-of-way being donated.
9. Locations and dimensions of stormwater management structures, access and utility easements, detention areas, tributary and state mandated buffers and corridors, flood hazard areas and elevations, drainages easements, and any other easements. Delineation of protected wetlands with total acreage noted. The size, length and location of all surface water and sewer easements.
10. New or existing water and sewer easements.
11. If streets are privately owned and maintained, reference to Section 726.06, Private Street Notification by Developer and Home Owners Association.
12. Release and Indemnification, if subdivision is gated. See Section 726.03, Public and private development.
13. Purpose for which parcels are dedicated or planned.
14. Location and description of monuments.
15. Name of record owners of adjoining unplatted land.
16. Name of recorded subdivision plats of adjoining platted lands.
17. A certification by surveyor or engineer certifying to accuracy of survey and plat.
18. A certification of title showing that applicant is the land owner.
19. Statement by owner dedicating any streets, right-of-way, utilities, and any other sites for public use.
20. Zoning stipulations and variances (if any) with number references and the date approved.
21. Maintenance and/or performance bond, if applicable.
22. Such other information as is required by state law.
23. Applicable endorsements from Section 728.10.
24. Endorsements from any applicable outside agencies.
25. A certification of approval for recording by the Mayor and Council.
26. If applicable, a copy of the protective covenants suitable for recording, with the following statement on the plat: "This plat is subject to the covenants set forth in the separate document(s) dated _____, which hereby becomes a part of this plat," recorded in Deed Book _____, page _____, Cobb County Deed Records and signed by owner.
27. The size, length and location of all storm drainage pipes or structures shall be shown on the final plat.
28. The original plat shall contain those endorsements and dedications including, but not limited to, plat dimensions, property ownership and approval blocks for the Public Works Director, Development Services Director and City Council.

B. Fee simple subdivision final plats may be submitted twice. The first submittal shall show the proposed location in "blocks" or "rows" of units, along with all required data for a subdivision excluding property lines for individual units. The second submittal shall be made after each individual unit is constructed. The second submittal shall consist of a revision of the first plat and shall depict each individual property line with bearings and distances.

C. Industrial, commercial and office park subdivision final plats shall meet all data requirements of subsection (A) above, except that interior lot lines need not be depicted.

(Code 1996, Sec. 7-8-4-8-050; Ord. No. 6151, 8/9/2000, Sec. 1)

728.09 Digital data standards



**ZONING ORDINANCE
DIVISION 728
PLATTING PROCEDURES**

All plats submitted in accordance to this article shall also be submitted in a digital format which meets or exceeds City standards.

728.10 Plat Endorsements

Plats shall include any and all applicable certifications and endorsements signed before recording.

A. Departmental Certifications

The undersigned, as a Director for the City of Marietta, Georgia, hereby approves this plat for the recording of same in the Office of the Clerk of the Superior Court of Cobb County.

Marietta Public Works Director/Date

Marietta Development Services Director/Date

Engineering Manager/Date

B. Certifications for final plats with public infrastructure

The owner of the land shown on this plat and whose name is subscribed hereto and who in person or through duly authorized agent acknowledges that this plat was made from a current stamped survey issued by a license and registered surveyor within the state of Georgia and dedicates the use to the public forever of all alleys, streets, and other public places thereon shown for the purpose and consideration therein.

Signature of owner/Date

This plat has been approved by the Mayor and City Council of Marietta, Georgia. Furthermore, the Mayor and City Council accepts all dedicated right-of-way, public streets, public places and public utility easements for maintenance.

Signature of Mayor/Date

C. Certifications for final plats for subdivisions with private infrastructure

The owner of the land shown on this plat and whose name is subscribed hereto and who in person or through duly authorized agent acknowledges that this plat was made from a current stamped survey issued by a license and registered surveyor within the state of Georgia. The owner hereby conveys the private roadways and utility easements to the association named on this plat for maintenance and upkeep and the purpose and consideration therein.



**ZONING ORDINANCE
DIVISION 728
PLATTING PROCEDURES**

Signature of owner/Date

This plat has been approved by the Mayor and City Council of Marietta, Georgia.

Signature of Mayor/Date

D. Surveyor Certification

It is hereby certified that this plat is true and correct prepared from an actual survey of the property made under my supervision on the ground.

Registered Land Surveyor/Surveyor Number/Date

728.11 Model Home Permits

- A. Authorization must be obtained from the Public Works Director and the Development Services Director to construct a model home prior to approval of the final plat. In order for the developer/builder to request approval of a model home permit, the following standards must be met:
 - 1 A draft of the final plat must be submitted for review.
 - 2 Addresses assigned by Marietta GIS
 - 3 A model home permit application must be submitted and include a letter signed by the owner and each permittee stating that they understand that no Certificate of Occupancy will be issued until the final plat is approved.
 - 4 An access road and a fire hydrant will be in place and active, as required by the Fire Department, before any vertical construction can commence.
- B. For developments consisting of only single family detached homes, the number of model homes that may be permitted shall be limited to 10 percent of the total number of units in the development, but not to exceed 4 units.
- C. For developments consisting of only single family attached homes (townhouses), the number of model homes that may be permitted shall be limited to 10 percent of the total number of units in the development, but in any case, a minimum of one townhouse building may be permitted.
- D. For developments consisting of a mix of single family detached homes and single family attached homes (townhouses):
 1. The number of single family detached model homes that may be permitted shall be limited to 10 percent of the total number of units in the development, but not to exceed 4 units.
 2. The number of single family attached model homes (townhouses) that may be permitted shall be limited to 10 percent of the total number of units in the development, but in any case, a minimum of one townhouse building may be permitted.
- E. All other construction codes must be met prior to the issuance of a Certificate of Completion for each model home.