



ZONING ORDINANCE
DIVISION 708
DISTRICT STANDARDS AND PERMITTED USES

708.15 NRC, Neighborhood Retail Commercial

A. Purpose and Intent.

The NRC district is intended to provide suitable areas for limited retail and personal services serving those neighborhoods in the immediate area. Uses located within this district supply those goods and services which require frequent purchasing with a minimum of customer travel. The scope at which properties are developed within the NRC district should reflect their relatively small market areas. This zoning district may serve as a step down from more intense commercial uses to residential uses.

B. Permitted Uses.

1. Automobile service stations.
 - a) All gasoline pumps, tanks and other service facilities shall be set back at least 20 feet from all property lines unless otherwise approved by the Fire Marshal.
 - 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.
2. Banks and financial institutions.
3. Barber and beauty shops.
4. Billiards, pool halls and video arcades.
5. 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.
6. Carwashes.
7. Coin operated laundries and dry-cleaning pickup establishments.
8. 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) 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.
9. Copy centers.
10. 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.
11. Eating and drinking establishments, excluding drive-in fast food restaurants and 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.
12. Grocery stores. Limited to 15,000 square feet of gross floor area.
13. Neighborhood retail uses with floor areas under 10,000 square feet. Appropriate uses include:
 - a) book and video stores (non-adult)
 - b) camera shops
 - c) florists



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- d) drug stores
- e) gift shops
- f) toy stores
- g) pet grooming and supply shops
- h) jewelry stores
- i) sporting goods and hobbies
- j) apparel stores
- k) beverage shops
- l) other similar and customary uses
- 14. Non-automotive repair services such as cameras, shoes, jewelry and the like.
- 15. Places of assembly.
- 16. Professional offices with floor areas under 10,000 square feet.
- 17. Shopping Centers, neighborhood markets (up to 30,000 square feet in gross floor area).
 - a) No outparcels allowed.
 - b) All businesses and uses within these centers must be permissible within the district in their own right.
 - c) All loading areas shall be located to the rear.
- 19. 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.
- 20. 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 NRC 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 30 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.



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- 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).

D. Special Uses Permitted by Board of Zoning Appeals.

Not applicable in this district.

E. Special Uses Permitted by City Council.

1. Not applicable in this district.

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. 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 1,000 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 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 15 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.
 - 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.
8. Accessory structures utilizing canvas coverings, tarpaulins, sails, tents, or other nondurable materials, are considered temporary and are not permitted for long term use, as they do not meet the minimum requirements of the building code for an accessory structure. Such temporary accessory structures may only be utilized for a period not lasting longer than 14 days consecutively and 42 days annually.

G. Use Limitations.

1. No outdoor storage is permitted.
2. Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.
3. No manufacturing processes are permitted.
4. Building design and materials may be of the developer's choosing; however:



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- 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:	10,000 sq. ft.
Minimum Lot Width:	75 ft.
Maximum Building Height:	35 ft.
Maximum Floor Area Ratio:	0.30
Maximum Impervious Surface:	70 %
Minimum landscaped area:	15%
Front Setback (arterial):	35 ft.
Front Setback (collector):	30 ft.
Front Setback (local):	25 ft.
Side Setback (major):	20 ft.
Side Setback (minor):	10 ft.
Rear Setback:	30 ft.

I. Landscape and Buffer Requirements.

When a NRC district directly abuts any residential district, a 30-foot buffer shall be established (see standards set forth in Section 710.05).