

## Sec. 134-215. - O&amp;I office and institutional district.

The regulations for the O&I office and institutional district are as follows:

- (1) *Purpose and intent.* The O&I district is established to provide locations for nonretail commercial uses such as offices and financial institutions, which are on properties delineated within or on the edge of a community activity center and a regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. The office and institutional district is designed primarily to provide for four-story and smaller office developments, office uses, motels, hotels, banking and professional offices that complement and provide step-down nodal zoning away from more intensive commercial uses and otherwise to implement the stated purpose of this chapter.
- (2) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
  - a. *Accessory retail uses* means retail sales and services accessory to the operation of an office building or institutional use, motel, hotel or high-rise residential development, conducted wholly within the building housing the use to which such activities are accessory, provided that the floorspace used or to be used for such accessory retail uses shall be limited to a total of 25 square feet per dwelling unit in a high-rise residential development or 25 square feet per room in a hotel or motel, or ten percent of the net floor area in an office building or institutional use, and provided that:
    1. Every public entrance to such a use shall be from a lobby, hallway or other interior portion of the primary use structure;
    2. No show window, advertising or display shall be visible from the exterior of the primary use structure; and
    3. No merchandise shall be stored or displayed outside of the primary use structure.
  4. Accessory retail uses shall include eating and drinking establishments, barber shops, beauty shops, laundry and dry cleaning pickup establishments, news stands, florists' gift shops, film developing and printing facilities, stationery stores, shoe repair shops, or convenience food stores (no fuel sales).
  5. Accessory retail use square footage must be in the primary building it serves; accessory use square footages cannot be allocated to other buildings in a multibuilding development.
  - b. *Clinic.* A medical or dental clinic is an organization of specializing physicians or dentists, or both, who have their offices in a common building. A clinic shall include laboratory facilities in conjunction with normal clinic services.
  - c. *Community fair* means a festival or fair such as the North Georgia State Fair conducted wholly within public areas owned by a local government, provided that any activity is conducted at least 200 feet from any property line. Any event shall not exceed 21 days.
  - d. *Designated recycling collection locations* means metal or heavy duty plastic containers designed for shortterm holding of pre-bagged recyclable items such as tin, aluminum, glass and paper (no perishable or food items allowed) for scheduled minimum monthly pickup, with no on-premises sorting. The center

must be maintained in a safe, clean, neat and sanitary fashion and shall not encompass an area larger than 280 square feet.

1. Such location shall be visually screened and maintained.
  2. Such location shall be within the building setbacks unless otherwise approved by the division manager of zoning or his designee due to topography, safety, internal traffic flow, site distance or other site-related circumstances not created by the property owner.
- e. *Group home* means a dwelling shared by six or less persons, excluding resident staff, to live together as a single housekeeping unit and in a longterm, family-like environment in which staff persons provide care, education and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. This use shall apply to homes for the handicapped. As used in this subsection, the term "handicapped" shall mean:
1. Having a physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently;
  2. Having a record of having such an impairment; or
  3. Being regarded as having such an impairment.
- However, the term "handicapped" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals. The term "group home for the handicapped" shall not include alcoholism or drug treatment centers, work release facilities for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration.
- f. *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/campaign, veterinarian or travel bureau.

(3) *Permitted uses.* Permitted uses are as follows:

Accessory retail sales and services.

Ambulance services, if accessory to hospitals or funeral homes.

Animal hospitals.

Any use allowed within the Residential Senior Living (RSL) district, subject to all requirements of the RSL district.

Athletic and health clubs.

Automotive parking lots or garages.

Banks and financial institutions with drive-in establishments or automated transfer machines.

Bus stations.

Churches, chapels, temples, synagogues, and other such places of worship.

Clinics.

Clubs or lodges (noncommercial).

Colleges and universities, including but not limited to research and training facilities (private).

Community fairs.

Designated recycling collection locations.

Executive golf course (see section 134-270).

Fraternity and sorority houses and residence halls, if within 1,000 feet of a college or university.

Freestanding climate controlled self-service storage facilities. The following minimum standards shall apply to freestanding climate controlled self-service storage facilities:

1. Building height should not exceed those of adjacent buildings, nor impact the view shed of adjacent residential property.
2. F.A.R. should be 1.0 or as determined appropriate by the board of commissioners.
3. All units shall be accessed through a main or central entrance.
4. All windows or similar architectural features must be "one way" and provide for an opaque screen from view outside of the building.
5. Architectural style/design to be similar or complementary to the predominant architectural design of other commercial uses within the activity center. Said architectural style/design to be approved by the board of commissioners. Any roof-mounted utilities or building components must be sufficiently screened from view of adjoining properties and public right-of-way.
6. There shall be no outside storage allowed nor overnight and/or long-term parking of heavy equipment, commercial equipment or parking of construction or related equipment allowed.
7. There shall be no storage of recreational vehicles and no dry storage of pleasure boats of any type customarily maintained by private individuals for their personal use.
8. There shall be no storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals.
9. No units within the facility shall be used for or considered to be premises for the purpose of assigning a legal address in order to obtain an occupational license or any other government permit or licenses to do business.
10. There shall be no resident manager or any type of overnight accommodations for such.
11. Landscape plan to be approved by staff with emphasis on planting within the parking facilities.
12. One parking space shall be provided per every 80 individual storage units/areas.

13. Loading area, including adequate turnaround space for a tractor trailer vehicle, must be screened by a permanent architectural or landscape feature or as may be approved by the board of commissioners if not located to side of proposed structure.
14. Lighting plan to be approved by the board of commissioners.
15. No units shall be used to manufacture, fabricate or process goods, to service or repair vehicles, boats, small engines or electrical equipment, or to conduct similar repair activities, to conduct garage sales or retail sales of any kind, to rehearse or practice utilizing band instruments, or for conversion to an apartment or dwelling unit, or to conduct any other commercial or industrial activities on the site.
16. Dumpster areas and detention areas must be sufficiently screened from view of adjoining properties and public right-of-way.
17. Hours of operation to be established by the board of commissioners, considering the operational hours of surrounding businesses.
18. Special land use permit as provided in section 134-37.

Funeral homes.

Golf courses, 18-hole regulation, public and private (see section 134-270).

Golf courses, par 3 (see section 134-270).

Group homes.

Hospitals.

Hotels.

In-home day care.

Medical and dental laboratories, provided that no chemicals are manufactured on-site.

Motels.

Nonprofit (seasonal use) fishing lakes.

Nursery schools and child care centers.

Pain clinic and pain management clinic (except when located in a NAC):

1. No onsite dispensing of any prescription medications or controlled substances.
2. One parking space per 200 gross square feet of building.
3. Hours of operation to be established by the board of commissioners, considering the operational hours of surrounding businesses.
4. Signage and lighting plan to be approved by the board of commissioners.
5. Special land use permit as provided by section 134-37.
6. The maximum length of approval for this use is 12 months.

7. No interior doors allowed from clinic to other adjacent businesses.

Parking for vehicles.

Private parks.

Professional offices.

Radio and television stations.

Radio, television and other commercial towers and antennas subject to section 134-273.

Rest homes, personal care homes and convalescent homes.

Roominghouses and boardinghouses.

Temporary uses.

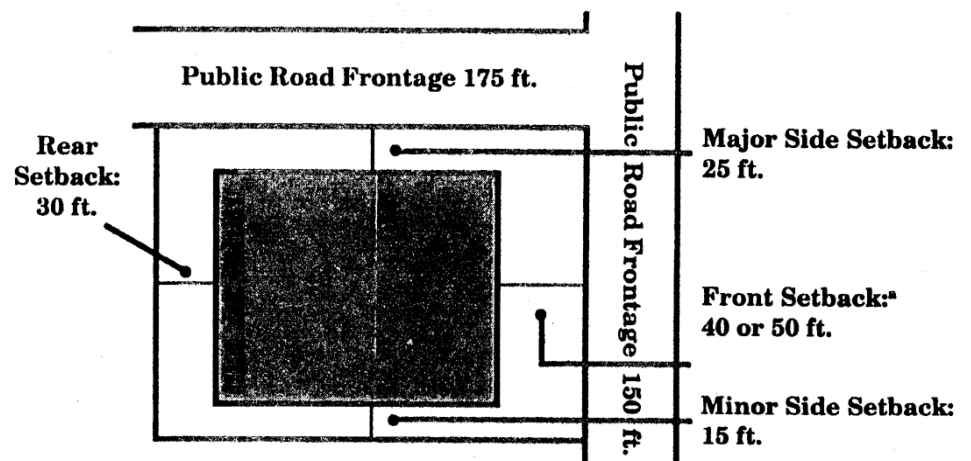
(4) *Lot size and setback requirements.* Lot size and setback requirements are as follows:

- a. Minimum lot size: 20,000 square feet.
- b. Minimum lot width at front setback line: 60 feet.
- c. Minimum public road frontage: 50 feet.
- d. Minimum building setbacks: As shown and applied in the following diagram:

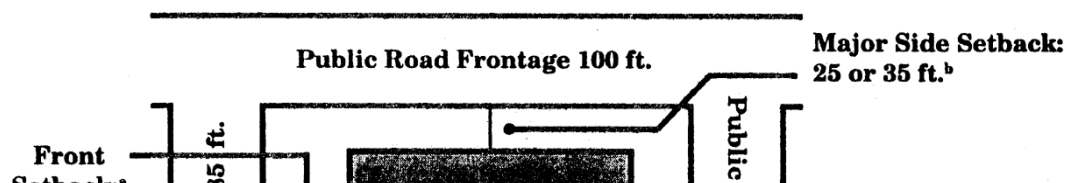
**MINIMUM BUILDING SETBACK REQUIREMENTS FOR O&I DISTRICT**

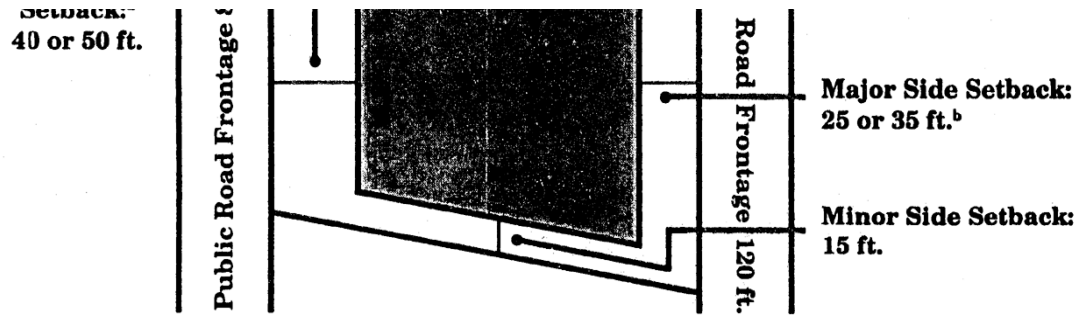
Note: All setbacks shall be measured from future right-of-way.

**OI**

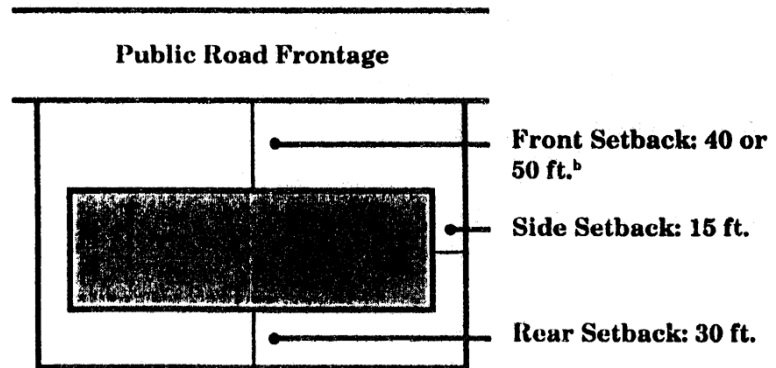


**Example for Property with two (2) Public Road Frontages**





**Example for Property with three (3) Public Road Frontages**



**Example for Property with one (1) Public Road Frontage**

Minimum Building Setback Requirements for O&I District

Notes:

- <sup>a</sup> Property with shorter amount of road frontage will be the front setback for determining other setbacks (major side, side, rear).
  - <sup>b</sup> If structure fronts a major side setback, major side setback shall be 35 feet.
- (5) *Landscape buffer and screening requirements.* Unless otherwise noted within this district's requirements, any property within an O&I district which abuts a residentially zoned property shall have a minimum 20-foot landscaped screening buffer. Required buffers may be included within required setbacks; however, in such case that the required buffer is greater than the required setback, the required buffer shall be adhered to. Additionally, necessary private utilities and access drives may be allowed through, over or across a landscaped buffer. Any such uses which are proposed through, over or across a designated undisturbed buffer must be approved pursuant to an original site plan or site plan modification as set forth under section 134-126.
- a. *Objectives.* Undisturbed, planted landscape buffers and berms shall be implemented in connection with a permitted project and shall address the following objectives:
    1. Screening to enhance aesthetic appeal;

2. Control or direction of vehicular and pedestrian movement;
  3. Reduction of glare;
  4. Buffering of noise; and
  5. Establishment of privacy.
- b. *Standards.* Buffers and berms shall be required when an O&I district is located within or adjacent to a residential district; a minimum 20-foot buffer is required.
1. *Buffers.* Landscape buffers are subject to review and approval by the county arborist or county landscape architect in accordance with the following standards:
    - i. Plantings are to be a mix of evergreen trees and shrubs.
    - ii. Species are to be ecologically compatible to the site and appropriate for the design situation.
    - iii. Unless public safety concerns dictate otherwise, buffer should provide a 100 percent visual barrier to a height of six feet within two years of planting.
    - iv. Minimum height of plant materials at installation is five feet for trees and two feet for shrubs.
    - v. Fencing or walls are to be a minimum of six feet in height as approved by the county landscape architect or county arborist.
    - vi. Trees included in buffer plantings may be counted toward site density calculations as required by chapter 50, article VI, pertaining to tree preservation and replacement, subject to review and approval of county arborist.
    - vii. Buffers shall be regularly maintained by the property owner to ensure that the objectives and standards set out in this subsection are met.
    - viii. When topography and existing conditions allow, the required 20-foot buffer should be an undisturbed buffer.
    - ix. Any appeals from a determination by the county landscape architect or county arborist shall be to the board of zoning appeals.
  2. *Berms.* Berms are subject to review and approval by the county landscape architect or county arborist in accordance with the following standards:
    - i. Berms shall be utilized when consistent with surrounding property features.
    - ii. Berms shall be stabilized.
    - iii. Berms shall be constructed to be consistent with natural or proposed drainage patterns.
    - iv. Berms shall be regularly maintained by the property owner.
- (6) *Floodplain and wetlands preservation requirements.* Any development must also meet state and federal requirements relating to areas subject to the provisions of section 134-283, regarding mountain and river corridor protection act areas, and section 134-284, regarding metropolitan river protection act areas.
- (7) *Building and structure requirements.* Maximum building height is 52 feet, with no more than four stories.
- (8) *Parking requirements.* See section 134-272 for paved parking specifications.
- (9) *Lighting requirements.* Any project permitted within the O&I district which proposes a lighted facility must

have a county department of transportation approved lighting plan in accordance with the minimum conditions listed in section 134-269.

- (10) *Special exception uses*. See section 134-271 for special exception use requirements for all districts. Special exception uses for the O&I district are the uses listed in section 134-271.
- (11) *Special exception uses for community activity centers only*. The following uses, with the proper scrutiny and conditions, may be considered as special exception uses within O&I district, only if they are within properties delineated as community activity centers as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any special exception use, for regional activity centers only, shall adhere to the landscape buffer and screening requirements in subsection (5) of this section.

[a. Reserved.]

- b. Climate controlled self-service storage facilities, when complementary or accessory to an office park or building.

The following minimum standards shall apply to climate controlled self-service storage facilities:

1. Building height should not exceed those of adjacent buildings, nor impact the view shed of adjacent residential property.
2. F.A.R. should be 1.0 or as determined appropriate by the board of commissioners.
3. All units shall be accessed through a main or central entrance.
4. All windows or similar architectural features must be "one way" and provide for an opaque screen from view outside of the building.
5. Architectural style/design to be similar or complementary to the predominant architectural design of other commercial uses within the activity center. Said architectural style/design to be approved by the board of commissioners. Any roof-mounted utilities or building components must be sufficiently screened from view of adjoining properties and public right-of-way.
6. There shall be no outside storage allowed nor overnight and/or long-term parking of heavy equipment, commercial equipment or parking of construction or related equipment allowed.
7. There shall be no storage of recreational vehicles and no dry storage of pleasure boats of any type customarily maintained by private individuals for their personal use.
8. There shall be no storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals.
9. No units within the facility shall be used for or considered to be premises for the purpose of assigning a legal address in order to obtain an occupational license or any other government permit or licenses to do business.
10. There shall be no resident manager or any type of overnight accommodations for such.
11. Landscape plan to be approved by staff with emphasis on planting within the parking facilities.
12. One parking space shall be provided per every 80 individual storage units/areas.
13. Overall project must be accessed via a public or private roadway which is internal to the office park, building or shopping center; direct access to an adjoining public roadway shall be subject to approval



by the board of commissioners.

14. No freestanding signage shall be utilized; internal directional signage will be subject to approval by the board of commissioners.
  15. No units shall be used to manufacture, fabricate or process goods, to service or repair vehicles, boats, small engines or electrical equipment, or to conduct similar repair activities, to conduct garage sales or retail styles of any kind, to rehearse or practice utilizing band instruments, or for conversion to an apartment or dwelling unit, or to conduct any other commercial or industrial activities on the site.
  16. Loading area, including adequate turnaround space for a tractor trailer vehicle, must be screened by a permanent architectural or landscape feature or as may be approved by the board of commissioners if not located to side or rear of proposed structure.
  17. Special land use permit as provided in section 134-37.
  18. Hours of operation to be established by the board of commissioners, considering the operational hours of surrounding businesses.
- (12) *Special exception uses for regional activity center only.* The following uses, with the proper scrutiny and conditions, may be considered as special exception uses within the GC district, only if they are within properties delineated as regional activity centers as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any special exception use, for regional activity centers only, shall adhere to the landscape buffer and screening requirements in subsection (5) of this section.
- a. Hotel (suite).

The following minimum standards shall apply to suite hotels:

1. Minimum acreage is two acres.
2. All rooms shall be accessed through a main or central lobby.
3. No rooms shall access to the exterior of the building unless required by fire/safety regulations.
4. The minimum number of floors allowed shall be three floors, unless otherwise approved by the board of commissioners.
5. Architectural style/design to be approved by the board of commissioners.
6. All buildings shall have a minimum roof pitch of a four in twelve as defined by applicable building codes.
7. Conference, meeting or banquet facilities are allowed when supported by adequate parking and approved by the board of commissioners as part of the special land use permit.
8. Restaurants or other type of eating facilities are allowed when supported by adequate parking and approved by the board of commissioners. "Continental" style dining for the guests of the facility only is allowed within or near the main or central lobby without additional parking.
9. At a minimum, provisions for weekly cleaning for each suite must be provided.
10. Each suite must be protected with a smoke detector and sprinkler system approved by the fire marshal or his designee.

11. Each suite shall be required to include an automatic power off timer for each stove/cook top unit or other
  12. Parking shall be calculated as one space required for each suite, with an additional ten spaces provided for employees. Parking requirements for conference, meeting or banquet facilities or restaurants or other type of eating facilities within a suite hotel shall be calculated as provided for each use in section 134-272, "traffic and parking," in addition to the above parking requirements and approved by the board of commissioners.
  13. There shall be no outside storage allowed or long term parking of heavy equipment, or parking of construction or related equipment allowed.
  14. A landscaping plan is to be approved by staff with emphasis on planting within the parking facilities.
  15. No facility under this section is to be converted or used primarily as an apartment or condominium.
- b. Climate controlled self-service storage facilities, when complementary or accessory to an office park or building.

The following minimum standards shall apply to climate controlled self-service storage facilities:

1. Building height should not exceed those of adjacent buildings, nor impact the view shed of adjacent residential property.
2. F.A.R. should be 2.0 or as determined appropriate by the board of commissioners.
3. All units shall be accessed through a main or central entrance.
4. All windows or similar architectural features must be "one way" and provide for an opaque screen from view outside of the building.
5. Architectural style/design to be similar or complementary to the predominant architectural design of other commercial uses within the activity center. Said architectural style/design to be approved by the board of commissioners. Any roof-mounted utilities or building components must be sufficiently screened from view of adjoining properties and public right-of-way.
6. There shall be no outside storage allowed nor overnight and/or long-term parking of heavy equipment, commercial equipment or parking of construction or related equipment allowed.
7. There shall be no storage of recreational vehicles and no dry storage of pleasure boats of any type customarily maintained by private individuals for their personal use.
8. There shall be no storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals.
9. No units within the facility shall be used for or considered to be premises for the purpose of assigning a legal address in order to obtain an occupational license or any other government permit or licenses to do business.
10. There shall be no resident manager or any type of overnight accommodations for such.
11. Landscape plan to be approved by staff with emphasis on planting within the parking facilities.
12. One parking space shall be provided per every 80 individual storage units/areas.
13. Overall project must be accessed via a public or private roadway which is internal to the office park,

building or shopping center; direct access to an adjoining public roadway shall be subject to approval by the board of commissioners.

14. No freestanding signage shall be utilized; internal directional signage will be subject to approval by the board of commissioners.
15. No units shall be used to manufacture, fabricate or process goods, to service or repair vehicles, boats, small engines or electrical equipment, or to conduct similar repair activities, to conduct garage sales or retail styles of any kind, to rehearse or practice utilizing band instruments, or for conversion to an apartment or dwelling unit, or to conduct any other commercial or industrial activities on the site.
16. Loading area, including adequate turnaround space for a tractor trailer vehicle, must be screened by a permanent architectural or landscape feature or as may be approved by the board of commissioners if not located to side or rear of proposed structure.
17. Special land use permit as provided in section 134-37.
18. Hours of operation to be established by the board of commissioners, considering the operational hours of surrounding businesses.

(13) *Use limitations.*

- a. Maximum floor area ratio is 0.75 for office uses and 0.25 for retail uses (accessory).
- b. All structures located within an O&I district shall be appropriately scaled in relation to the transitional nature of the immediate area.
- c. All refuse and designated recycling collection location facilities must be contained within completely enclosed facilities.
- d. It is found and declared that outside storage on properties within unincorporated Cobb County is a health risk and undesirable in that it provides harborage for rodents and insects, lowers property values, and constitutes a public nuisance; therefore, no outside storage is permitted, unless otherwise allowed in this article. Within the O&I district, outside storage shall not include commercial vehicles.
- e. No adult entertainment uses are permitted.
- f. No drive-in eating or drinking establishments are permitted.
- g. No uses that emit noxious odors, fumes or sounds are permitted.
- h. No outside runs are permitted with any veterinary office use permitted within this district.
- i. Kitchenettes or kitchen facilities are prohibited in motels.
- j. Maximum impervious surfaces (80%-RAC, 70%-CAC and NAC) shall be established within activity centers as identified by the Cobb County Comprehensive Plan, as may be amended from time to time.
- k. No loading docks or facilities may be located in the front of any primary structure.

Required buffers may be included within required setbacks; however, in such case that the required buffer is greater than the required setback, the required buffer shall be adhered to. Additionally, necessary private utilities and access drives may be allowed through, over or across a landscaped buffer. Any such uses which are proposed through, over or across a designated undisturbed buffer must be approved pursuant to an original site plan or site plan modification as set forth under section 134-126.

(14) *Accessory buildings, structures, uses and decks.* Any accessory building or structure in excess of 1,000 square feet of gross space shall be located to the rear of the primary structure and at least 40 feet from any residential property line. Any accessory building or structure which exceeds 1,000 square feet of gross space must have the approval of the division manager of zoning or his designee as to the location, architectural design and size prior to commencing construction. The division manager of zoning or his designee shall consider the following criteria for determining the appropriateness of the architectural design and size of the accessory building or structure: compatibility with the surrounding neighborhood, use of the exterior (the exterior is to be compatible in style with the primary structure), use of the proposed accessory structure, impact on adjacent properties, and requirements as deemed appropriate by plan review as set forth in this subsection. Any accessory buildings, structures and uses in excess of 1,000 gross square feet shall be required to submit for plan review through the community development department or receive approval from the director of the community development department or his designee. Permitted accessory structures and uses are as follows:

- a. Accessory retail sales and service.
- b. Accessory storage buildings, to include parking garages, subject to the following conditions:
  1. Maximum height is two stories, not to exceed 35 feet.
  2. Such structures shall be located on the same lot as and to the rear of the principal building to which they are accessory.
  3. No accessory building shall be constructed upon a lot until construction of the principal building has commenced.
  4. On a corner lot, no accessory building shall be located closer to the side street right-of-way line than the principal building.
  5. When abutting any other nonresidential district, no garage or other accessory building shall be located closer than five feet to a side or rear lot line.
  6. When an accessory building is attached to the principal building by a breezeway, passageway or similar means, it shall comply with the yard requirements of the principal building to which it is accessory.
  7. Where any nonresidential lot adjoins the side or rear of a residential lot, an accessory building shall not be located within any required buffers.
- c. Antennas and satellite dishes, which shall meet the requirements set forth in section 134-274.
- d. Freestanding parking garages, subject to the following conditions:
  1. Maximum height: four stories.
  2. When abutting any residential property line, freestanding parking garages shall not be located within any required buffers.
  3. When abutting any other nonresidential district, no freestanding garage shall be located closer than five feet to a side or rear lot line.
- e. Heating and air conditioning units, subject to the following conditions:
  1. When abutting any residential property line, heating and air conditioning units shall not be located within any required buffers.

2. When abutting any other nonresidential district, no heating and air conditioning units shall be located closer to a side or rear lot line.
3. Heating and air conditioning units may be installed on the roof of any structure zoned commercially so long as the heating and air conditioning unit does not exceed the height restrictions stated in this section and the units are placed so as to be hidden from a front or side view.
4. No ground-based heating and air conditioning unit shall exceed 35 feet in height.
- f. Incidental storage, provided that the material stored is incidental to the permitted use, as determined by the division manager of zoning or his designee, and stored completely within a portion of the enclosed principal structure permitted within the district, or within a permitted accessory structure.

(Ord. of 12-26-72; Ord. of 12-11-90, § 3-28-7.22; Ord. of 8-13-91; Ord. of 6-9-92; Ord. of 7-11-95; Ord. of 6-24-97 (eff. 7-1-97); Ord. of 9-12-00; Ord. of 7-10-01; Ord. of 9-10-02; Ord. of 12-9-03; Ord. of 7-27-04; Ord. of 7-26-05; Ord. of 2-26-08; Amd. of 2-24-09; Amd. of 3-24-09; Ord. of 7-27-10; Amd. of 2-24-15)