

Sec. 134-203.1. - RSL supportive residential facilities.

The regulations for the RSL supportive residential facilities in addition to all [section 134-203](#) regulations are as follows:

(1)

Purpose and intent. The RSL supportive residential facilities district is established to provide locations for the development of supportive residential living facilities, for tenants age 55 and older which shall not be established as a precedent for any other residential or nonresidential district. This residential use is designed to be located within properties delineated as a regional activity center, community activity center or neighborhood activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. This residential use is also designed to function as a cut-off for nonresidential uses within an activity center and a transitional use to residential uses adjoining activity centers.

(2)

Definitions. (Not applicable)

(3)

Permitted uses. Anything not permitted or allowed by special exception is prohibited. Permitted uses are as follows:

Supportive residential facilities.

(4)

Lot size and setback requirements. (See use limitations)

(5)

Landscape buffer and screening requirements. Unless otherwise noted within this district's requirements, any property within an RSL supportive residential facilities which abuts a more restrictive residentially zoned property shall have a minimum 40-foot landscaped screening or maintained natural buffer adjacent to all residential property. Minimum buffers may be increased by the board of commissioners based on existing conditions such as tract size, topographic conditions, etc in order to provide compatibility with adjacent residential uses.

(6)

Flood plain/wetlands preservation requirements. Any development must meet all state and federal requirements relating to flood plains and wetlands. The board of commissioners encourages preservation of wetland areas. 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 areas. No flood plain and/or wetlands may be used in calculating the overall density of the development.

(7)

Building and structure requirements. (See use limitations)

(8)

Parking requirements. (See use limitations)

(9)

Lighting requirements. Any project permitted within the RSL supportive residential facilities 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. (Not applicable)

(11)

Use limitations.

a.

Any RSL supportive facility shall be subject to the site plan submitted and approved by the board of commissioners.

b.

A maximum of 100 units for supportive/assisted living facilities, and a maximum of 200 units for an supportive/independent living facility when located within a neighborhood activity center or community activity center as shown on the county comprehensive plan, as may be amended from time to time. A maximum of 300 units for supportive/assisted living facilities, and a maximum of 400 units for an supportive/independent living facility when located within a regional activity center as shown on the county comprehensive plan, as may be amended from time to time.

c.

Site must be located so as to have no adverse impact to surrounding residential areas. No adverse impact means, but is not limited to, sufficient buffering, traffic considerations and other institutional uses predominate in the immediate area.

d.

Three-acre minimum lot size.

e.

Facilities must be limited to those persons age 55 and older as defined by the Fair Housing Act as amended from time to time.

f.

Architectural style, roof pitch and building height to be approved by the board of commissioners based upon size of tract and surrounding uses. Thirty-five feet is the maximum building height when located in a neighborhood activity center or community activity center as shown on the county comprehensive plan, as may be amended from time to time. Fifty feet is the maximum building height when located in a regional activity center as shown on the county comprehensive plan, as may be amended from time to time.

g.

Each facility must include centralized kitchen and dining facilities sufficient to serve all occupants. However, this shall not preclude kitchenette facilities within each unit. Kitchenette is defined as an area for preparation of foods limited to a refrigerator, sink, stovetop unit, microwave unit or portable oven and shall not include a built-in oven.

h.

Each facility must meet all applicable requirements regarding emergency response.

i.

Each facility must include a centralized area or areas denoted solely for resident activities proportionate to size of facility.

j.

An overall landscape plan is to be approved by the board of commissioners with emphasis on size of tract, buffers, surrounding uses, and passive recreational areas.

k.

An overall parking plan for the entire site shall be approved by the board of commissioners and must include provisions for adequate shuttle services to serve each facility. A minimum of 0.75 spaces per unit shall be provided.

l.

Ancillary retail uses shall be permitted for occupants and their guests only.

m.

HVAC and other mechanical equipment must be adequately screened.

n.

Dumpsters shall be adequately screened and trash pick-up shall be between 7:00 a.m.—9:00 p.m. only.

o.

Exhaust fumes generated from the centralized kitchen and dining facility must meet all required codes and ordinances.

p.

When an RSL supportive facility is located within a neighborhood activity center, the maximum floor area ratio is 0.50.

q.

When an RSL supportive facility is located within a community activity center, the maximum floor area ratio is 0.75.

r.

When an RSL supportive is located within a Regional Activity Center, the maximum floor area ratio is 2.0.

s.

Each facility must be protected by a fire sprinkler system.

t.

Maximum impervious surfaces (80 percent—RAC, 70 percent—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.

u.

Portions of projects should incorporate applicable accessibility and "easy living" standards (as administered and copyrighted by a coalition of Georgia citizens including AARP of Georgia, Atlanta Regional Commission, Concrete Change, Georgia Department of Community Affairs, Governor's

Council on Developmental Disabilities, Home Builders Association of Georgia, Shepherd Center and the Statewide Independent Living Council of Georgia).

v.

A 40-foot perimeter building setback must be provided to all adjacent residentially zoned properties. This perimeter setback may include required buffers. A 30-foot setback shall be required adjacent to any public roadway. There shall be a minimum setback of 15 feet between buildings. Minimum setbacks may be increased by the board of commissioners based on existing conditions such as tract size, topographic conditions, etc in order to provide compatibility with adjacent residential uses.

(12)

Accessory buildings, structures, uses and decks. Accessory buildings, structures, uses and decks shall be as described in [section 134-203](#).

(Ord. of 1-25-05)

Sec. 134-203.3. - RSL nonsupportive urban rental units.

The regulations for the RSL nonsupportive residential units, in addition to all [section 134-203](#) regulations are as follows:

(1)

Purpose and intent. The RSL nonsupportive urban rental units is established to provide locations for the development of mid-rise dwelling units (up to eight stories) limited to those persons age 55 and older as defined by the Fair Housing Act as may be amended from time to time and shall not be established as a precedent for any other residential or nonresidential district. This residential use must be located within a regional activity center as defined by the Cobb County Comprehensive Plan, as may be amended from time to time.

(2)

Definitions. (Not applicable)

(3)

Permitted uses. Anything not permitted or allowed by special exception is prohibited. Permitted uses are as follows:

Attached residential units.

Neighborhood retail uses provided that the total square footage of the uses does not exceed ten percent of the total floor area of the structure(s). Further provided that no adult entertainment uses or automotive uses shall be allowed.

(4)

Lot size and setback requirements. (See use limitations)

(5)

Landscape buffer and screening requirements. Unless otherwise noted within this district's requirements, any RSL nonsupportive urban rental units which abut more restrictive residentially zoned property shall have a minimum 50-foot landscaped screening or maintained natural buffer adjacent to all residential property. When abutting nonresidentially zoned property, a ten-foot landscaped screening

buffer is required. Minimum buffers may be increased by the board of commissioners based on existing conditions such as tract size, topographic conditions, etc in order to provide compatibility with adjacent residential uses.

(6)

Flood plain/wetlands preservation requirements. Any development must meet all state and federal requirements relating to flood plains and wetlands. The board of commissioners encourages preservation of wetland areas. 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 areas. No flood plain and/or wetlands may be used in calculating the overall density of the development.

(7)

Building and structure requirements. (See use limitations)

(8)

Parking requirements. (See use limitations)

(9)

Lighting requirements. Any project permitted within the RSL nonsupportive urban rental units 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. (Not applicable)

(11)

Location criteria, design criteria and use limitations.

a.

Any RSL nonsupportive urban rental units shall be subject to the site plan submitted and approved by the board of commissioners.

b.

Minimum tract size of three acres.

c.

All dwelling units must be limited to those persons age 55 and older as defined by the Fair Housing Act as may be amended from time to time.

d.

No sale of goods or products shall be permitted except if accessory to a customary home occupation, land use permit, special land use permit or special exception use.

e.

No adult entertainment uses are permitted.

f.

All uses are subject to [chapter 110](#), the subdivision regulations of the county, as amended from time to time.

g.

Any food or beverage served within an accessory clubhouse shall be limited to residents and their guests.

h.

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, excluding firewood and lawn furnishings, unless otherwise allowed in this article, or as otherwise prohibited in the condominium declaration and bylaws.

i.

All units must have access to a parking garage or similar on-site parking facility.

j.

All RSL nonsupportive urban rental unit projects must be designed to provide pedestrian access to all adjacent properties and roadways. Connectivity to public transit will be required when available.

k.

Any RSL nonsupportive urban rental unit project which proposes an amenity area will be required to design such feature for those residents age 55 and older.

l.

An overall landscape plan is to be approved by the board of commissioners with emphasis on size of tract, buffers, surrounding uses, and passive recreational areas.

m.

Projects must incorporate applicable accessibility and "easy living" standards (as administered and copyrighted by a coalition of Georgia citizens including AARP of Georgia, Atlanta Regional Commission, Concrete Change, Georgia Department of Community Affairs, Governor's Council on Developmental Disabilities, Home Builders Association of Georgia, Shepherd Center and the Statewide Independent Living Council of Georgia) to include at least one full bath on the main floor, with ample maneuvering space; a bedroom on the main floor; ample interior door widths; and one stepless entrance at either the front, side or back of the home, or through the garage.

n.

At least 25 percent of the units shall be affordable. For the purposes of this section, affordable shall mean units intended for occupancy (rental or ownership) by household earnings no more than 80 percent of the Atlanta Metropolitan Statistical Area's (MSA) median household income, as may be adjusted from time to time

o.

Impervious surface shall not exceed 55 percent of the total site area.

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](#).

(12)

Accessory buildings, structures, uses and decks as described in [section 134-203](#).

(Ord. of 1-24-06; Amd. of 2-24-15)

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