



Cobb County...Expect the Best!

AGENDA

COBB COUNTY BOARD OF COMMISSIONERS WORK SESSION

SEPTEMBER 22, 2026 – 1:30 PM

CALL TO ORDER

PRESENTATIONS

1. To present information regarding recommended amendments to the Cobb County Code.

ADJOURNMENT



Community Development

Jessica Guinn, Agency Director

Districts All

Cobb County...Expect the Best!

TO: Dr. Jackie R. McMorris, County Manager

FROM: Jessica Guinn, Agency Director

DATE: September 22, 2026

PURPOSE

To present information regarding recommended amendments to the Cobb County Code.

BACKGROUND

On October 13 and October 27, 2026, the Board of Commissioners will hold public hearings on the current code amendment package. The draft code amendments include the following: Part I Chapters 2 (Administration), 6 (Alcoholic Beverages), 10 (Animals), 50 (Environment), 54 (Fire Prevention and Protection), 66 (Historic Preservation), 83 (Nuisances), 86 (Offenses and Miscellaneous Provisions), 106 (Streets, Sidewalks and Other Public Places), 118 (Traffic and Vehicles), and 134 (Zoning). All proposed amendments have been reviewed by the County Attorney's Office.

IMPACT STATEMENT

N/A

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider information presented regarding recommended amendments to the Cobb County Code.

ATTACHMENTS

1. 2026 Oct Chapter 2 PH1
2. 2026 Oct Chapter 6 PH1
3. 2026 Oct Chapter 10 PH1
4. 2026 Oct Chapter 50 PH1
5. 2026 Oct Chapter 54 PH1
6. 2026 Oct Chapter 66 PH1
7. 2026 Oct Chapter 78 PH1
8. 2026 Oct Chapter 83 PH1
9. 2026 Oct Chapter 86 PH1

10. 2026 Oct Chapter 106 PH1
11. 2026 Oct Chapter 118 PH1
12. 2026 Oct Chapter 134 PH1

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 2

Package I
Version I - distributed on September 4, 2026

Board of Commissioners Public Hearing Dates
October 13, 2026 – 9:00 a.m.
October 27, 2026 – 7:00 p.m.

Cobb County Community Development
P.O. Box 649
Marietta, GA 30061
www.cobbcounty.gov



Cobb County...Expect the Best!

Chapter 2 – ADMINISTRATION

ARTICLE III. – CODE ENFORCEMENT

Section 2-103 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Section 2-103. – Authority.

Employees of the code enforcement division have enforcement authority to issue citations for violations of this Code in accordance with section 1-10. Employees of code enforcement shall have citation authority over the following portions of this Code, unless specific authority is given exclusively to another agency or department within a Code section or such exclusivity is otherwise determined by federal or state law or by agreement with another jurisdiction. Personnel from the Cobb County Stormwater Management Division of the Cobb County Water System shall have citation authority for chapter 50, articles IV and V; chapter 58; section 102-92 and section 110-61(f). Personnel from the code enforcement division shall have enforcement authority to issue citations for violations of chapter 50, articles IV and V for the community development agency. Personnel from the environmental compliance division of the Cobb County Water System shall have citation authority over chapter 122, article II, sections 122-181 through 122-193:

- (1) Chapter 2, article V, section 2-180 (film permit);
- (2) Chapter 10, article II, section 10-73 (breeding of animals);
- (3) Chapter 18, article II (permits required);
- (4) Chapter 18, article III (building code);
- (5) Chapter 18, article IV (electrical code);
- (6) Chapter 18, article V (gas code);
- (7) Chapter 18, article VI (housing code);
- (8) Chapter 18, article VII (mechanical code);
- (9) Chapter 18, article VIII (one- and two-family dwelling code);
- (10) Chapter 18, article IX (plumbing code);
- (11) Chapter 18, article X (swimming pool code and wastewater discharge);
- (12) Chapter 18, article XI (energy code);
- (13) Chapter 18, article XII (excavating and trenching);
- (14) Chapter 18, article XIV (multifamily rental housing inspection program);
- (15) Chapter 26, article II (cemetery preservation);
- (16) Chapter 50, article II (Chattahoochee River corridor tributary protection area);
- (17) Chapter 50, article III (land disturbing activities);
- (18) Chapter 50, article IV (stormwater management);
- (19) Chapter 50, article V (stormwater quality/illicit discharge and illegal connections);
- (20) Chapter 50, article VI (tree preservation and replacement);
- (21) Chapter 54 (fire prevention and protection);
- (22) Chapter 58, article II (flood damage prevention);

- (23) Chapter 66, article IV, section 66-81 (approval of alterations in historic districts or involving landmarks);
- (24) Chapter 78 (licenses, permits and businesses);
- (25) Chapter 83 (nuisances);
- (26) Chapter 102 (solid waste);
- (27) Chapter 106 (streets, sidewalks and other public places), article II, section 106-10(c) (obstructions on right-of-way);
- (28) Chapter 110 (subdivisions);
- (29) Chapter 122, article II (water and wastewater systems);
- (30) Chapter 134 (zoning);
- (31) Volumes 1 and 2 of the Cobb County Development Standards, as may be amended from time to time.

ARTICLE V. - ECONOMIC DEVELOPMENT

Section 2-166 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 2-166. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Cobb Innovation Fund means a grant fund program that may be created by the Development Authority of Cobb County or other entity whose purpose is to encourage entrepreneurship, promote research and development, and expand innovative industries in the county.

Comprehensive plan means the Cobb County Comprehensive Plan.

Fiscal impact shall mean any anticipated budgetary or other financial impact that may result from the proposed expenditure from the Cobb Business Innovation Grant Fund, decision, or undertaking related to an applicant seeking economic incentives from Cobb County.

Incentive period means a period of time, as determined by the ~~division of~~ economic development department with the concurrence of the county manager and chairman of the board of commissioners or designee, to represent the period of time when the new jobs and fiscal impact requirements must be satisfied.

New jobs means permanent full-time or full-time equivalent positions created by a target business.

PILOT means payment in lieu of taxes. This is a mechanism whereby private entities that receive tax abatement incentives from the county or development authority compensate the appropriate taxing authority for some or all of the tax revenue lost.

Rehabilitation shall mean projects where the existing structure and the value of the proposed improvement exceeds the value of the land by a ratio of five to one.

Small business means an independently owned and operated for profit entity that does not predominate a given field. The number of employees and average sales volume in a small business varies based upon the industry and the region the entity is located. The county uses the Small Business Administration's "Table of Small Business Size Standards matched to North American Industry Classification System Codes" to identify small businesses.

Special services district means a taxing district created by the board of commissioners authorized by the Special Districts Clause of the Georgia Constitution.

Target business means a preferred business or industry type as identified by North American Industrial Classification System (NAICS)/Standard Industrial Classification codes pursuant to section 2-172 or a special impact project of such magnitude pursuant to section 2-173.

(Ord. of 8-24-93; Code 1977, § 3-9.8-2; Ord. of 1-11-00; Res. of 10-25-11; Amd. of 7-22-14; Amd. of 2-24-15; Amd. of 2-23-16; Amd. of 2-27-18; Amd. of 6-25-19)

Cross reference(s)—Definitions generally, § 1-2.

(Ord. of 8-24-93; Code 1977, § 3-9.8-2; Ord. of 1-11-00; Res. of 10-25-11; Amd. of 7-22-14; Amd. of 2-24-15; Amd. of 2-23-16; Amd. of 2-27-18; Amd. of 6-25-19)

Cross reference— Definitions generally, § 1-2.

Section 2-167 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 2-167. - ~~Division of Economic development~~ department established; duties.

- (a) To promote and develop quality growth, the board of commissioners hereby establishes a ~~division of the~~ economic development department which shall report to the community development agency director or his/her designee.
- (b) The ~~division of economic development~~ department shall have the following duties:
 - (1) Establish and administer the county's economic development goals, initiatives and incentives programs to include, ~~but not limited to,~~ the Economic Development Strategic Plan, business incentives ordinance, commercial and industrial property rehabilitation program, grants, community development block grants (CDBG), and WorkSource Cobb as a means to encourage job creation, assist in retaining existing businesses and recruiting new businesses, support redevelopment and rehabilitation of targeted areas within the county, and support small businesses and entrepreneurs.
 - (2) Coordinate with local, state, and federal agencies, the Development Authority of Cobb County and other businesses economic development and organizations to encourage new business attraction, retention of existing business development, redevelopment, and further investment in Cobb County.
 - (3) ~~Develop an inventory of~~ Maintain access to prospective properties throughout the entire county for ~~new~~ business prospects.
 - (4) Develop and maintain an inventory of redevelopment sites to encourage redevelopment and revitalization.
 - (5) Follow the established economic incentives overview and review process as approved by the board of commissioners as amended from time to time.
 - (6) Advise the district commissioner and obtain the concurrence of the county manager and ~~chairman~~ of the board of commissioners to extend conditional offers of incentives in accordance with this article.
 - (7) Report the status of all incentives currently in effect under this article, no less than annually, to the board of commissioners.

- (8) ~~Coordinate semi-annual economic development roundtable discussions with local, regional, and state economic development partners to assist in discussing ideas and programs that could help the county and six cities of the county.~~

Section 2-168 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 2-168. - Potential incentives available.

- (a) The county has established a number of incentives to assist in business recruitment, business retention, job creation, entrepreneurship, small business development, job creation and retention, and redevelopment. The specific local government incentive programs available from the county are as follows:
- (1) Entrepreneurship and innovation incentives grant program (section 2-169);
 - (2) ~~Small business and new start incentives program (section 2-170);~~ Business Investment Incentive Program
 - ~~(3) Business retention incentives program (section 2-171); Enterprise zone program~~
 - ~~(4) Targeted industry incentives program (section 2-172); Commercial Façade Improvement Grant~~
 - ~~(5) Special economic impact incentives program (section 2-173); Military Zone~~
 - ~~(6) Commercial and industrial rehabilitation property program (section 2-174); and Federal Opportunity Zone~~
 - (7) Enterprise zone program (section 2-175).
- (b) Each incentive program shall, at a minimum, provide specificity on the following:
- (1) Purpose of the incentive;
 - (2) Eligibility criteria for each incentive program; and
 - (3) Incentives and services that are offered as part of the incentive program.
- (c) The state has established a number of incentives to assist in job creation, entrepreneurship, small business development, job retention, and business recruitment. County staff will assist businesses with education and technical expertise in determining the following:
- (1) Qualification for state incentives;
 - (2) Applications for state incentives; and/or
 - (3) Documentation on state incentives compliance.
- (d) Businesses that receive a tax abatement from the county, ~~or the Development Authority of Cobb County, South Cobb Redevelopment Authority,~~ or enterprise zone program that are within a special services district may be required to enter into a PILOT agreement with the taxing authority to compensate for the amount of revenue lost due to the abatement.
- (e) Businesses can only participate in one incentive program at a time and new incentives cannot be provided until the expiration of existing incentive agreements, unless it is part of a new economic development project.
- (Ord. of 8-24-93; Code 1977, § 3-9.8-4; Amd. of 7-22-14; Amd. of 2-27-18)

Section 2-169 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 2-169. - Entrepreneurship and innovation incentive program.

- (a) *Purpose.* The purpose of the entrepreneurship and innovation incentive program is to provide services, assistance, and/or incentives to entrepreneurs and innovators who are in high skilled fields to assist them in the growing their business, creating jobs, and maintaining their presence in the county.
 - (b) *Eligibility.*
 - (1) In order to qualify for the entrepreneurship and innovation incentive program a business must meet the following criteria:
 - a. Must have participated in ~~the IgniteHQ business incubator~~ an entrepreneurship development program; participated in a program operated by an affiliate or partner of IgniteHQ; be a spin-off technology associated with the Georgia Tech Research Institute or other university; or have graduated from an entrepreneurial training program;
 - b. Must be an existing business in the county; ~~and~~
 - c. Business must be in operation for seven (7) years or less, as verifiable by the Georgia Secretary of State and/or Cobb County Business License department;
 - d. The applicant must agree to remain in the county for the three years after the grant is approved by the board of commissioners. ~~the expiration of the mandatory incentives agreement.~~
 - e. Other requirements as outlined in the grant guidelines and/or amended by the economic development department.
 - (c) *Incentives.* Companies eligible for entrepreneurship and innovation incentive program may be eligible for ~~a reduction of some or all of the following:~~
 - (1) ~~Ability to apply for eCash grants from the Cobb Innovation Fund;~~
 - (2) ~~A 50 percent reduction of the business license fee for two years; and/or~~
 - (3) ~~Assistance with permitting, and construction~~ business license and other business start-up processes.
 - (d) A recipient of entrepreneurship and innovation incentives shall consent to enter into a contractual agreement that outlines the incentives received by the business and a guideline for the recapture or reimbursement of the value of the incentives should the terms of the contract be violated by the business.
- (Ord. of 8-24-93; Code 1977, § 3-9.8-5; Res. of 10-25-11; Amd. of 7-22-14; Amd. of 2-24-15; Amd. of 2-27-18)

Section 2-170 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 2-170. ~~Small business and new start incentives program.~~

- ~~(a) Purpose. The purpose of the small business and new start incentives program is to provide services and business assistance to small businesses that meet the eligibility requirements below to assist them in growing their business in the county.~~
- ~~(b) Eligibility.~~
 - ~~(1) In order to qualify for the small business and new start incentives program a business must meet the following criteria:~~

- ~~a. Be an existing business that has been in continuous operations in the county for at least one year; and~~
 - ~~b. Be up to date on all state and local taxes.~~
 - ~~(c) Incentives. Companies eligible for small business and new start incentives program may be eligible for a reduction of some or all of the following:~~
 - ~~(1) Access to market data, labor force data, and real estate data;~~
 - ~~(2) Coordination with appropriate county, city, or state agencies;~~
 - ~~(3) Liaison with workforce training and assistance providers;~~
 - ~~(4) Assistance with permitting and construction processes;~~
 - ~~(5) Information on other local and state entities that can assist in the growth of small businesses;~~
 - ~~(6) Inducements or grants authorized by the Development Authority of Cobb County or South Cobb Redevelopment Authority; and/or~~
- ~~(Amd. of 2-27-18; Amd. of 2-26-19)~~

Sec. 2.170 – Strategic Business investment incentive program.

- (a) Purpose. The purpose of the Strategic Business Investment Incentive Program is to encourage the location, expansion, and investment of businesses that create high-quality jobs, expand the tax base, and strengthen targeted industry clusters.
- (b) Eligibility.
 - (1) To qualify for the Business investment incentive program, a business must operate in one or more of the following industries:
 - a. Headquarters operations;
 - b. Aerospace
 - c. Manufacturing;
 - d. Information technology and software;
 - e. Life sciences and healthcare;
 - f. Research and development;
 - g. Logistics and distribution;
 - h. Travel and tourism;
 - i. Wholesale trade.
 - j. Emerging technologies
 - k. Other (as recommended by the Economic Development Director per the Economic Development Strategic Plan)
- (c) Incentives. Companies eligible for the business investment incentive program may be eligible based upon the following tiered criteria:
 - a. Tier I – Strategic Investment Projects: A project must meet at least two (2) of the following:
 - (1) Create at least twenty-five (25) new full-time jobs;
 - (2) Pay wages equal to at least 125 percent of the county average wage;
 - (3) Invest at least \$5 million in capital improvements;
 - (4) Generate a positive fiscal impact to the County.

- b. Tier II – Transformational Projects: A project must meet at least two (2) of the following:
 - (1) Create at least 150 new full-time jobs;
 - (2) Pay wages equal to at least 150 percent of the county average wage;
 - (3) Invest at least \$30 million in capital improvements;
 - (4) Establish a regional, divisional, or corporate headquarters.
- (d) Available Incentives.
Depending upon the level of investment and economic impact, a company may receive:
 - (1) Waiver or reduction of building permit fees;
 - (2) Waiver or reduction of business license fees;
 - (3) Expedited permitting and plan review;
 - (4) Dedicated County project manager.
 - (5) Development Authority bond financing;
 - (6) Property tax abatements through the Development Authority of Cobb County;
 - (7) Workforce Incentives, recruitment assistance; and/or training assistance;
 - (8) Access to WIOA funding and state workforce programs.

Section 2-171 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 2-171. ~~--Business retention incentives program--~~

- ~~(a) Purpose. The purpose of the business retention incentives program is to provide services, assistance, and/or incentives to businesses that meet specific eligibility requirements listed in section 2-171(b) to assist in keeping their business in the county under specified conditions in order maintain jobs and tax base.~~
- ~~(b) Eligibility.~~
 - ~~(1) In order to qualify for the business retention incentive program a business must meet the following criteria:~~
 - ~~a. Be an existing business that has been in continuous operations in the county for at least two years;~~
 - ~~b. The applicant must agree to remain in the county for the three years after the expiration of the mandatory incentives agreement;~~
 - ~~c. Be part of one of the following business clusters as determined by North American Industrial Classification System (NAICS):~~
 - ~~1. Information technology and/or software~~
 - ~~2. Professional and business services;~~
 - ~~3. Wholesale trade;~~
 - ~~4. Healthcare services;~~
 - ~~5. Research and development;~~
 - ~~6. Life sciences; or~~
 - ~~7. Travel and tourism; and~~
 - ~~d. Be a business with at least 50 employees.~~
 - ~~(2) The business retention incentive program is not eligible to companies that meet any of the following criteria:~~

- a. ~~Are currently receiving incentives from the county, the Development Authority of Cobb County, or the South Cobb Redevelopment Authority;~~
 - b. ~~Are not up to date on local or state taxes;~~
 - c. ~~To subsidize or artificially sustain businesses and industries when job losses or closing appear inevitable.~~
- (3) ~~In no event shall any incentive result in payment of county funds as part of the business retention incentive program.~~
- (4) ~~If the business moves out of the county prior to the expiration of the incentives agreement or within a three-year period after the expiration of the agreement, all incentives provided to the business are to be paid back to the county.~~
- (c) ~~Incentives. Companies eligible for business retention incentive program may be eligible for a reduction of some or all of the following:~~
- (1) ~~Access to market data, labor force data, and real estate data;~~
 - (2) ~~Coordination with appropriate county, city, or state agencies;~~
 - (3) ~~Liaison with workforce training and assistance providers;~~
 - (4) ~~Flexible payment of system development fees;~~
 - (5) ~~Workforce Innovation and Opportunity Act of 2014 funds as amended from time to time;~~
 - (6) ~~Inducements or grants authorized by the Development Authority of Cobb County or South Cobb Redevelopment Authority;~~
 - (7) ~~Assistance with permitting and construction processes; and/or~~
 - (8) ~~Assistance with transportation infrastructure.~~
- (d) ~~A recipient of business retention incentives shall consent to enter into a contractual agreement that outlines incentives received by the business and a guideline for the recapture or reimbursement of the value of the incentives should the terms of the contract be violated by the business.~~
- (Res. of 10-25-11; Amd. of 7-22-14; Amd. of 2-24-15; Amd. of 2-23-16; Amd. of 2-28-17; Amd. of 2-27-18; Amd. of 2-26-19)

Sec. 2-171. - Façade Improvement Grant

- a) Purpose. To provide a reimbursement incentive to prevent or eliminate blight by enhancing the overall appearance of commercial building frontages within priority redevelopment areas, sites, and corridors, consistent with the Community Development Block Grant (CDBG) national program objectives.
- b) Eligibility.
 - (1) Properties must be located within designated low to moderate income census tracts as determined by the U.S. Department of Housing and Urban Development (HUD).
 - (2) Eligible buildings are commercial and mixed commercial/residential with façades visible from the street.
 - (3) Façade renovation activities must involve the general upgrading of a building's external appearance in compliance with the most recently adopted and applicable Design Guidelines and Development Standards.

- (4) Applications/Projects must be approved at the discretion of the Review committee.
- (5) Must meet overall program guidelines as outlined and/or amended by the economic development department, and any Community Development Block Grant requirements.
- c) Incentive. Eligible applicants for this incentive may receive:
 - (1) A reimbursement grant amount as determined by the Economic Development Director, based upon funds received to support the grant for that specific term.

Section 2-172 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 2-172. -~~Targeted industry incentive program.~~

- ~~(a) Purpose. The purpose of the targeted industry incentive program is to provide services, assistance and/or incentives to businesses that meet the eligibility requirements below to assist them in relocating their business to the county or expanding their business in the county.~~
- ~~(b) Eligibility.~~
 - ~~(1) In order to qualify for the targeted industry incentive program a business must be part of one of the following growth clusters or core clusters as determined by North American Industrial Classification System (NAICS)/Standard Industrial Classification codes~~
 - ~~a. Aerospace and/or advanced equipment manufacturing;~~
 - ~~b. Information technology and/or software;~~
 - ~~c. Professional and business services;~~
 - ~~d. Wholesale trade;~~
 - ~~e. Healthcare services;~~
 - ~~f. Research and development;~~
 - ~~g. Life sciences; and~~
 - ~~h. Travel and tourism.~~
 - ~~(2) Unless otherwise provided, no incentive shall be offered or made available to an eligible business for the targeted industry incentive program unless two of the following criteria are met:~~
 - ~~a. Add at least 25 new jobs;~~
 - ~~b. Pay an average salary at least 1.25 times the county average for that industry as determined by the state department of labor in the employment and wages annual report; or~~
 - ~~c. Have an estimated fiscal impact with a net present value of at least \$250,000.00 to the county during the incentive period.~~
 - ~~(3) In no event shall any incentive result in payment of county funds as part of the targeted industry incentive program.~~
- ~~(c) Incentives. Companies eligible for targeted industry incentive program may be eligible for a reduction of some or all of the following:~~
 - ~~(1) Plan review fees;~~
 - ~~(2) Business license fees;~~

- ~~(3) Flexible payment of system development fees;~~
 - ~~(4) Building permit fees;~~
 - ~~(5) Workforce Innovation and Opportunity Act of 2014 funds as amended from time to time;~~
 - ~~(6) Inducements or grants authorized by the Development Authority of Cobb County or South Cobb Redevelopment Authority;~~
 - ~~(7) Assistance with transportation infrastructure; and/or~~
 - ~~(8) Plan review, building permit, and business license fee incentives noted above may be reduced further when at least ten percent of the new and required minimum jobs are filled by county residents living in census tracts with high unemployment rates as determined annually by the state department of labor in the employment and wages annual report.~~
 - ~~(d) A recipient of targeted industry incentives shall consent to enter into a contractual agreement that outlines incentives received by the business and a guideline for the recapture or reimbursement of the value of the incentives should the terms of the contract be violated by the business.~~
- ~~(Amd. of 2-27-18; Amd. of 2-26-19; Amd. of 6-25-19)~~

Sec. 2-172. - Tax Allocation District

- (a) Purpose. To revitalize blighted, underutilized or declining areas including brownfields, commercial corridors and industrial sites; fund public infrastructure; and/or spur private economic investment.
- (b) Eligibility
 - (1) Projects must clearly demonstrate the highest public benefit by eliminating blight, financing desirable public improvements, strengthening the employment and economic base, increasing property values, reducing poverty, creating economic stability, upgrading older neighborhoods, facilitating economic self-sufficiency, and implementing the County's Comprehensive Plan and/or Economic Development Strategy.
 - (2) Office, office/service, warehouse, industrial/manufacturing, office/industrial/corporate headquarters, retail/commercial, residential, and mixed-use development projects located in areas of the County determined to be consistent with the county's TAD policy.
 - (3) Adhere to the guidelines established by the Official Code of Georgia, Cobb County Code of Ordinances, Cobb County Community Development and/or economic development department.
- (c) Incentive
 - a. The county will designate a Tax Allocation District, establish its current tax base floor, and dedicate future taxes over and above that floor for a specified time period to pay the costs (often, but not always through issuing bonds) of the infrastructure, buildings or other improvements needed to spur new development.

Section 2-173 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 2-173. ~~--Special economic impact incentives program. Reserved.~~

- ~~(a) Purpose. The purpose of the special economic impact incentive program is to provide services and business assistance to businesses that meet the eligibility requirements below to assist them in relocating their business to the county or expanding their business in the county.~~
- ~~(b) Eligibility.~~
- ~~(1) In order to qualify for the special economic impact incentive program a business must be part of one of the following:
 - a. Headquarters: corporate, divisional, and/or regional;
 - b. Financial, insurance, and professional services (law, accounting, and other professional services that predominantly serve the Metropolitan Atlanta Region are not eligible);
 - c. Transportation/distribution (logistics);
 - d. Manufacturing; and/or
 - e. Emerging technologies/industries.~~
 - ~~(2) Unless otherwise provided, no incentive shall be offered or made available to an eligible business for the special economic impact incentive program unless two of the following criteria are met:
 - a. Add at least 150 new jobs;
 - b. Pay an average salary at least 1.25 times the county average for that industry as determined by the state department of labor in the employment and wages annual report; and
 - c. Invests \$30,000,000.00 or more in the county.~~
 - ~~(3) In no event shall any incentive result in payment of county funds as part of the special economic impact incentive program.~~
- ~~(c) Incentives. Companies eligible for special economic impact incentive program may be eligible for a reduction of some or all of the following:~~
- ~~(1) Plan review fees;~~
 - ~~(2) Business license fees;~~
 - ~~(3) Flexible payment of system development fees;~~
 - ~~(4) Building permit fees;~~
 - ~~(5) Workforce Innovation and Opportunity Act of 2014 funds as amended from time to time;~~
 - ~~(6) Inducements or grants authorized by the Development Authority of Cobb County or South Cobb Redevelopment Authority;~~
 - ~~(7) Assistance with transportation infrastructure; and/or~~
 - ~~(8) Plan review, building permit, and business license fee incentives noted above may be reduced further when at least ten percent of the new and required minimum jobs are filled by county residents living in census tracts with high unemployment rates as~~

determined annually by the state department of labor in the employment and wages annual report.

~~(d) A recipient of special economic impact incentives shall consent to enter into a contractual agreement that outlines incentives received by the business and a guideline for the recapture or reimbursement of the value of the incentives should the terms of the contract be violated by the business.~~

~~(Amd. of 2-27-18; Amd. of 2-26-19)~~

Section 2-174 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 2-174. ~~Commercial and industrial property rehabilitation incentive program.~~ Reserved.

~~(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Assessed value means the total appraised value of real property as shown on the tax digest of the county.~~

~~Base value means the total appraised value of a project as determined by the county's board of tax assessors (BTA) on January 1 of the year in which the rehabilitation or renovation of the project begins.~~

~~Commercial use structure means structures used for the selling or providing of goods or services to individuals, firms or corporations; provided that for purposes of this program, mixed use structures (used for both residential and commercial purposes) constitute commercial use only when the square footage of that portion of the structure used for the sale or provision of goods and services exceeds 50 percent of the total square footage of the structure.~~

~~Corridor study area means a select area of the county (as depicted in the exhibits to the ordinance from which this section is derived contained in the comprehensive plan appendix) for which staff has prepared a corridor study that has been adopted by the county board of commissioners. For the purposes of this article, the following are areas that currently qualify as corridor study areas: Atlanta Road, Canton Road, Veterans Memorial Highway including West Corridor, Powers Ferry Road, and Six Flags Drive. These areas can be modified and new areas can be added by action of the county board of commissioners via an official agenda item.~~

~~County means Cobb County, Georgia, a political subdivision of the state.~~

~~Development authority means the Development Authority of Cobb County.~~

~~Exemption amount means a percentage of the ad valorem property taxes resulting from the increase in the fair market value of a commercial or industrial use structure(s) directly attributable to the substantial rehabilitation and/or renovation of the structure as approved by the program.~~

~~Fair market value means the full 100 percent value of a property or portion of property as further defined by state law (O.C.G.A. § 48-5-2).~~

~~Incremental project value means that portion of the fair market value of the project directly attributable to the rehabilitation and/or renovation of the commercial use structure(s) or industrial structure(s) approved by the program; provided, however, that such fair market value shall be determined in the same manner, and with the same frequency, as other taxable similarly situated commercial and industrial properties by the BTA.~~

~~Industrial structure means a structure or part thereof used for manufacturing, processing, or assembling of material or manufactured products, or for research.~~

~~Owner means, for the purposes of this section, all persons or entities holding title (as referenced in the county's official tax records) to taxable real estate interests in commercial use structures or industrial use structures for which an exemption is requested.~~

~~Program means the Cobb County Commercial and Industrial Property Rehabilitation Incentive Program.~~

~~Project means a commercial rehabilitation project for a commercial use structure or an industrial use structure approved for the Cobb County Commercial and Industrial Property Rehabilitation Incentive Program by OED, BTA (exemption approval only) and the development authority.~~

~~Redevelopment authority means the South Cobb Redevelopment Authority.~~

~~Single project, for purposes of this section, means a project consisting of a single tax parcel which may include one or more buildings which is to be substantially rehabilitated or renovated within two years of the issuance of the initial construction permit following acceptance to the program.~~

~~Substantially rehabilitated or renovated commercial use structure or industrial use structure means an existing commercial use or industrial use structure, no less than 20 years of age (calculated from the date in which the original certificate of occupancy was issued), located in a corridor study area or included among those sites listed in the inventory of redevelopment sites (as shown in exhibits contained in the comprehensive plan appendix and considered a part of this article hereto), where the structure has been substantially rehabilitated or renovated so as to increase the fair market value thereof by not less than 50 percent of the base value as determined by the BTA. Such determination is not appealable. Renovation/rehabilitation consists of capital improvements and includes, but is not limited to, the installation of improvements to the building (including fixtures or mechanical systems), parking, and public infrastructure. Ordinary upkeep and maintenance shall not be deemed a qualifying improvement for purposes of this program.~~

~~(b) Purpose. The purpose of this program is to encourage owners of older commercial use/industrial use property (20 years or more in age) in select areas and sites around the county (as depicted in the corridor study areas and the redevelopment sites specified on exhibits 1 through 6) to revitalize those properties. The definitive objective of revitalizing these areas is to contribute to economic growth by creating jobs and improving the county's tax base. Proposed projects must adhere to any specific architectural and/or design guidelines that may apply in these areas or sites.~~

~~If the type of work to be conducted meets the program's requirements, and the BTA approves the exemption for the proposed project, the BTA will approve a valuation schedule on those improvements for up to five years based upon an escalating percentage of the fair market value of the improvements (excluding the value of land), provided these new improvements increase the fair market value by at least 50 percent or more of the base value and does not propose an increase in square footage by more than 100 percent. This increase in fair market value, as determined by the BTA, must be a result of actual physical changes resulting from the rehabilitation or renovation and not a result of inflationary changes in the value of the property related to the state of the economy or other market forces. This determination of the BTA will be final and not appealable.~~

~~(c) Program requirements.~~

- ~~(1) *Effective date of exemption amount.* Only rehabilitative work performed after the approval of the application may be awarded an exemption amount under the program. In addition, any adjusted valuation schedule approved by the BTA is to begin on the next succeeding January 1 following the issuance of the original certificate of occupancy (C.O.) for the improvements. Initial and final inspections approved by the fire marshal and chief building official are required to obtain a C.O. The applicant must provide the BTA with a copy of the original C.O. In the event the applicant proposes to abate the property taxes derived from application of the board of education or municipal portion of the millage rate, said applicant must secure a letter of support from the office of the superintendent of the county school district and/or from the city manager/administrator in which the property is located.~~
- ~~(2) *Certification of age of structures.* The structure being improved must be a minimum of 20 years old (calculated from the date of original construction).~~
- ~~(3) *Location of structures.* An approved project must be located within the corridor study area or included among those sites listed in the inventory of redevelopment sites adopted by the county board of commissioners as may be amended from time to time.~~
- ~~(4) *Single project.* Improvements must be the result of a single project. Building permits must be issued within a 120-day period from the time of acceptance into the program, and completed within two years from the date that the initial construction permit was issued. A copy of the initial construction permit must be provided by the applicant to the BTA.~~
- ~~(5) *Personal property and land value excluded; program terminates on sale.* The program incentives, if granted, will not apply to personal property or the value of the land and will not apply retroactively to improvements made without prior OED and BTA approval. All program incentives terminate upon the sale or transfer of any portion/parcel of the project.~~
- ~~(6) *Timely payment of ad valorem property taxes.* Applicant's property taxes must be current and paid on time for a minimum of three years and the applicant must have filed timely business personal property returns for each of the three years prior to making application for said exemption in order to be eligible to participate in this program. Applicant must submit evidence of compliance with the application.~~
- ~~(7) *Vacant land excluded.* The program does not apply to new construction built on vacant land.~~
- ~~(8) *Demolition of existing structures.* The program will apply to those projects in which the building is completely demolished and replaced by a new structure provided that the existing structure is at least 20 years old as of the application date and provided the difference between the fair market value of the existing structure and the fair market value of the new structure increases by at least 50 percent or more of the base value and does not increase square footage by more than 100 percent. This determination by the BTA is final and not appealable.~~
- ~~(9) *Single parcel ID.* Separate applications must be submitted for each tax parcel in which the owner is seeking participation in the program.~~~~(10) *Permits.* Appropriate building permits, and any other local, state or federal approvals, must be obtained prior to~~

~~work commencement. County permitting fees will be assessed improvements on a parcel by parcel basis.(d)Program incentive. Approved applicants will receive a program incentive in the form of an effective reduction in ad valorem property taxes equal to the exemption amount. The exemption amount, in a given year, is equal to a percentage of the amount of ad valorem property taxes otherwise due on the incremental project value. As further described herein, the exemption amount equals 100 percent of the ad valorem property taxes due on the incremental project value in the first year of the program and reduces annually over the five year program (in increments of 20 percentage points) to 20 percent in the fifth year of the program until the full value of ad valorem property taxes are due on the incremental project value in the sixth year and thereafter.~~

~~The property tax incentive is made possible by titling ownership to the taxable assets into the name of the development authority or redevelopment authority (under state law development authorities are exempt from ad valorem taxes on real property) which in turn leases these assets back to private entity. Title to the property reverts to the owner/applicant immediately upon the end of the lease. In addition, the development authority or redevelopment authority issues taxable revenue bonds through a transaction commonly referred to as "bonds for title." Bonds are held by the applicant and not sold to the public. During the term of the lease, the applicant would be responsible for paying ad valorem property taxes on the "leasehold value" of the project improvements in the form of an effective reduction in ad valorem property taxes equal to the exemption amount resulting in a substantial reduction in the amount of property taxes which would be have been due if the property was owned outright (in fee simple) by the applicant. The value of the "abatement" adjusts and diminishes each year as the reversionary interest ripens and fully vests at the end of the lease term.~~

~~While the project is titled to the development authority or redevelopment authority under this program, subject to BTA approval, the total appraised value of the leasehold interest of the applicant in such assets will increase as the lease term progresses. The "applicable percentage" established for a project under this program will be for a period of up to five years and will start on January 1 of the year following the completion of the project. For the purposes of this section, the "applicable percentage" will be applied in the following manner:~~

~~Year 1: 0%~~

~~Year 2: 20%~~

~~Year 3: 40%~~

~~Year 4: 60%~~

~~Year 5: 80%~~

~~Year 6: Fully taxable~~

~~As an example, if an application is received on January 15, then the applicant must wait until the next calendar year for the abatement to take effect. If the base value, which excludes the land value, equals \$1,000,000.00 and the total appraised value of the new improvements equals \$500,000.00, then the total taxable value under the program would equal \$1,000,000.00 in year 1 ($\$1,000,000.00 + (\$500,000.00 \times 0.0)$), \$1,100,000.00 in year 2 ($\$1,000,000.00 + (\$500,000.00 \times 0.20)$), \$1,200,000.00 in year 3 ($\$1,000,000.00 + (\$500,000.00 \times 0.40)$), \$1,300,000.00 in year 4 ($\$1,000,000.00 + (\$500,000.00 \times 0.60)$), \$1,400,000.00 in year 5 ($\$1,000,000.00 + (\$500,000.00 \times$~~

0.80)) and \$1,500,000.00 in year 6 and thereafter before accounting for any market fluctuations in values generally. Note: The total appraised value is subject to change annually.

~~Should the building proposed for rehabilitation be located in a corridor study area or listed on the inventory of redevelopment sites and also be located in an enterprise zone established by the board of commissioners, the applicant shall not qualify for both property tax incentives. The applicant may qualify for other incentives available through the enterprise zone but may only do so at the discretion of the county. This abatement program is not available to properties or projects within a tax allocation district (TAD).~~

~~The owner must submit a detailed list of their actual improvement costs to the office of economic development (OED) for review. All proposals must be reviewed with the chairman of the board of commissioners as well as the applicable district commissioner. The owner must also acknowledge that the valuation methodology approved by OED and BTA is expressly conditioned upon the owner's completion of the project as submitted and within the two years allowed under this program. The owner must further acknowledge that failure to complete or substantially complete the project, as determined by OED and/or BTA, will constitute a sufficient basis for the project to be revised or terminated. Should the project be terminated under this article, the owner will be liable for payment of taxes equal to the tax savings accrued during the project. (Amd. of 2-24-09; Res. of 10-25-11; Amd. of 2-26-13; Amd. of 2-27-18)~~

~~**Editor's note**— The exhibits referenced above are not set out herein, but are available for inspection in the county offices.~~

The Official Code of Cobb County, Georgia, is amended by adding a section numbered 2-177, to read as follows:

Sec. 2-177. - Housing incentive program.

(a) Purpose. The purpose of the housing incentive program is to provide services, assistance, and/or incentives for the construction of new residential units for households earning up to 80% of Area Median Income, as determined by the U.S. Department of Housing and Urban Development.

(b) Eligibility.

- (1) In order to qualify for the housing incentive program the following criteria must be met:
 - a. Investment of at least \$10 million in real property;
 - b. Minimum of 50 units;
 - c. A minimum of 20% of units must be set aside as affordable units for households earning up to 80% of Area Median Income; and
 - d. The affordable units shall be set aside for the same period of time as the incentive contractual agreement referenced below (the "control period"). This shall be done by a deed restriction that limits the sale to households earning up to 80% of the Area Median Income and provides that the control period shall restart upon the sale of any affordable unit before the expiration of the applicable control period. The developer's monitoring agency shall ensure that sales of all set aside

units maintain affordability during the entire control period and remain owned by qualified households during the entire control period.

(c) *Incentives.* Developments eligible for the housing incentive program may be eligible for the following:

(1) Waiver or reduction of building permit fees; and,

(2) Expedited permitting and plan review.

(d) A recipient of housing incentives shall consent to enter into a contractual agreement that outlines the incentives received and a guideline for the recapture or reimbursement of the value of the incentives should the terms of the contract be violated.

Secs. 2-177~~8~~—2-179. - Reserved

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 6

Package I
Version I - distributed on September 4, 2026

Board of Commissioners Public Hearing Dates
October 13, 2026 – 9:00 a.m.
October 27, 2026 – 7:00 p.m.

Cobb County Community Development
P.O. Box 649
Marietta, GA 30061
www.cobbcounty.gov



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Chapter 6 – ALCOHOLIC BEVERAGES

ARTICLE I. – IN GENERAL

Section 6-1 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-1. – Definitions.

...

Distance means the measurement in lineal feet from the center of any door of customer entry of the proposed premises of a licensee to the nearest property line of any church, library, school, park, public housing, public hospital, package store or private residence as defined in this section. A radius shall be measured from the center of any door of customer entry of the proposed premises of any licensee to the nearest property line of any church, library, school, park, public housing, public hospital or private residence as defined in this section.

ARTICLE III. – LICENSES

Section 6-121 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Section 6-121. – County officials and employees of the sheriff's department, ~~public safety agency~~ police department, community development agency prohibited from interest in license.

No elected or full-time appointed official of the county or any employee of the county's sheriff's office, ~~public safety agency~~ police department, or community development agency, or his spouse or minor children shall have any whole, partial, or beneficial interest, as set forth in section 6-119(b), in any license to sell alcoholic beverage or license to operate a bottle house in the county.

...

The Official Code of Cobb County, Georgia, is amended by adding Section 6-125.1, to read as follows:

Section 6-125.1.—Distance requirements—package stores.

No license shall be issued under this chapter where a package store of the applicant is located within a radius distance of 2,500 feet of another package store. However, at a public hearing the license review board or the board of commissioners may waive the distance requirements of this section by granting a distance waiver if satisfactory evidence shall be produced before the license review board or the board of commissioners that no adverse effect to property values or the use of the facilities for the purposes aforesaid would occur if a license was granted. A distance waiver remains in effect for any alcoholic beverage license for that location provided that the establishment does not cease operation for 12 or more months, and the business activity does not change.

...

Section 6-131 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-131. License prohibited for package sales in connection with sales of alcoholic beverages by the drink; wine and/or beer sampling.

- (a) Except in a restaurant, grocery store, farm winery, distillery, or brewery, no retail license for the sale of alcoholic beverages by the package shall be allowed where such sale would take place in, or in connection with, any ~~restaurant~~, cafe or eating place, or in the same room where a bar is maintained for the dispensing and sales of alcoholic beverages.

...

Section 6-133 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-133. Special provisions and exemptions within certain mixed-use districts.

...

- (b) For the purposes of this section only, a mixed-use development district is defined as a ~~development~~ an area established by the board of commissioners that is zoned RRC with a public event venue with permanent seating in excess of 20,000 seats (and to include attendant parking facilities) and may include a mixture of retail, restaurants, entertainment, office space, and hotel units, as shown on the map on file in the county clerk's office and the community development office.

...

ARTICLE IV. – OPERATING REGULATIONS FOR LICENSED ESTABLISHMENTS

Section 6-236 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-236. Pricing of alcoholic drinks.

...

- (b) Each licensee under this chapter shall maintain a daily schedule of the prices to be charged for all alcoholic beverages to be served and consumed on the licensed premises or in any room or part thereof. ~~The licensee shall not vary the prices from hour to hour within a single day.~~ The schedule of prices shall be maintained in a manner so as to be available to the paying public and law enforcement officers or agents of governmental authority. ~~Such schedule shall be effective for not less than a 24-hour period beginning at 12:01 a.m. and ending at midnight, and shall show thereon the date for which the schedule is effective.~~

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 10

Package I
Version I - distributed on September 4, 2026

Board of Commissioners Public Hearing Dates
October 13, 2026 – 9:00 a.m.
October 27, 2026 – 7:00 p.m.

Cobb County Community Development
P.O. Box 649
Marietta, GA 30061
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ARTICLE 1. – IN GENERAL

Section 10-1. – definitions.

...

...

DIVISION 3. – ANIMAL IMPOUNDMENT, REDEMPTION, AND ADOPTION AND BREEDING

...

Section 10-73.- Breeding of animals.

(b) Penalties

(2) A person found guilty of violating this code section shall be subject to a fine not to exceed:

Third or subsequent offense	\$500
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Each violation of this article shall constitute a separate offense.

Section 10-7374—10-95. — Reserved.

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 50

Package I

Version I - distributed on September 4, 2026

Board of Commissioners Public Hearing Dates

October 13, 2026 – 9:00 a.m.

October 27, 2026 – 6:00 p.m.

Cobb County Community Development
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Chapter 50 – ENVIRONMENT

ARTICLE III. - LAND DISTURBING ACTIVITIES

Sec. 50-76 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 50-76. Application; plan requirements; permit process.

- (a) *General.* The property owner, developer and designated planners and engineers shall design and review before submittal the general development plans. Cobb County shall review the tract to be developed and the area surrounding it. They shall consult the zoning ordinance, storm water management ordinance, subdivision ordinance, flood damage prevention ordinance, this article, and any other ordinances, rules, regulations or permits, which regulate the development of land within the jurisdictional boundaries of Cobb County. However, the owner and/or operator are the only parties who may obtain a permit.
- (b) *Application requirements.*
 - (1) No person shall conduct any land disturbing activity within the confines of the unincorporated areas of Cobb County without first obtaining a permit, where required, from the Cobb County Community Development Agency to perform such activity and providing a copy of the notice of intent submitted to the Georgia EPD, if applicable. A land disturbance permit for clearing and grading projects may only be obtained if such projects are part of a complete site/project plan review and approval (allowing for clearing and grading only phases, including a time table for final completion). Any clearing and grading activities permitted under this section shall comply with the provisions found in article III, section 50-75 of this chapter. In no event shall any portion of this article be interpreted in any manner to reduce or diminish the use or density of any project where the county board of commissioners has approved such use or density.
 - (2) The application for a land disturbance permit shall be submitted to the Cobb County Community Development Agency and must include the applicant's erosion, sedimentation and pollution control plan with supporting data, as necessary. Said plans shall include, as a minimum, the data specified in subsection (c) of this section. Erosion, sedimentation and pollution control plans, together with supporting data, must demonstrate affirmatively that the land disturbing activity proposed will be carried out in such a manner that the provisions of section 50-75 of this article will be met. Applications for a permit will not be accepted unless accompanied by a copy of the applicant's erosion, sedimentation and pollution control plans and by such supportive data as will affirmatively demonstrate that the land-disturbing activity proposed will be carried out in such a manner that the minimum requirements shall be met. Maps, drawings and supportive computations shall bear the signature and seal of the certified design professional. All applications shall contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan in accordance with EPD Rule 391-3-7-.10.

- (3) In addition to the local permitting fees, fees will also be assessed pursuant to paragraph (5) subsection (a) of O.C.G.A. 12-5-23, provided that such fees shall not exceed \$80.00 per acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. Per subsection (a) of O.C.G.A. 12-7-8 half of such fees levied shall be submitted to the Division; except that any and all fees due from an entity which is required to give notice pursuant to paragraph (9) or (10) of O.C.G.A. 12-7-17 shall be submitted in full to the Division, regardless of the existence of a local issuing authority in the jurisdiction.
 - (4) If a permit applicant has had two or more violations of previous permits, this section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing the application under consideration, Cobb County may deny the permit application.
 - (5) Cobb County may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this section or with the conditions of the permit after issuance, Cobb County may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site.
 - (6) Any application for a land disturbance permit involving a development expected to generate more than 3,000 vehicle trips during a single day and/or more than 250 vehicle trips during a single hour shall be required to submit a traffic impact study (prepared in accordance with industry accepted standards, including at a minimum, level of service impacts for adjacent roadways and intersections), the scope of which shall be determined by the Director of the Cobb County Department of Transportation or his/her designee and shall at a minimum address conditions and impacts resulting from the project. A trip means a single one-way journey between two points by a specified travel mode and for a defined purpose. A trip is the standard unit of measure for trip generation used in traffic studies. Said applicant shall also be required to coordinate and fund any recommended mitigation measures limited to project related improvements with applicable federal, state and local agencies including the Georgia Transportation Efficiency Authority and the Atlanta Regional Commission. The applicant shall prepare an assumptions technical memorandum for approval by the county department of transportation before proceeding with the traffic study.
- (c) *Plan requirement.*
- (1) *Standards and specifications.* Plans for land disturbing activities shall contain soil erosion and sedimentation control measures and practices which conform to the publication entitled Manual for Erosion Control in Georgia or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices which is on file in the office of the issuing authority. The publication is hereby incorporated by reference in this article. The plan for the land disturbing activity shall consider the interrelationship of the soil types, geological, and

- hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and stormwater management facilities, local ordinances, and state laws.
- (2) Data Required for Site Plan shall include all the information required from the appropriate Erosion, Sedimentation and Pollution Control Plan Review Checklist established by the Commission as of January 1 of the year in which the applicable land-disturbing activity was permitted.
- (3) *Maintenance.*
- a. Maintenance of all soil erosion and sedimentation control practices, whether temporary or permanent, shall be at all times the responsibility of the owner. It shall be the responsibility of the owner or his/her designee to post a maintenance log on site at all times. Said log will be posted on site with the land disturbance permit from the issuing authority. Said log must also be initialed on a weekly basis by the owner or his/her designee to indicate compliance with best management practices and the approved maintenance schedule.
 - b. All plans must contain the following maintenance statement: "Erosion control measures will be maintained at all times. If full implementation of the approved plan does not provide for effective erosion and sediment control, additional erosion and sedimentation control measures will be installed if deemed necessary by on-site inspection. On-site inspectors may add items to plans as necessary. On-site inspectors may delete items from plans subject to approval by the director of Cobb County Community Development or his/her designee."
- (4) *Permits.*
- a. Permits issuance or denial. A permit is issued after Cobb County has determined that the plan for erosion and sedimentation control complies with the requirements of section 50-75, and after Cobb County has affirmatively determined that the plan complies with all other development ordinances, rules and regulations in effect within the unincorporated areas of the county. Permits will be issued or denied as soon as practical after the permit is filed with Cobb County, but in any event not later than 45 days after receipt by Cobb County of a completed application; providing variances and bonding are obtained, where necessary and all applicable fees have been paid prior to permit issuance. The permit shall include conditions under which the activity may be undertaken. If the permit is denied, the reasons for the denial shall be furnished to the applicant.
 - b. No permit shall be issued unless Cobb County has affirmatively determined that the plan is in compliance with this ordinance, any variances required by section 50-75(c)(15), (16) and (17) are obtained, bonding requirements, if necessary, as per 50-76(b)(6) are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of Cobb County are met.
 - c. Any land-disturbing activities by a local issuing authority shall be subject to the same requirements of this ordinance, and any other ordinances relating to land development, as are applied to private persons and the division shall enforce such requirements upon the local issuing authority.

- d. Staged developments. If the tract is to be developed in stages, then a separate permit shall be required for each phase.
- e. Responsibility. Neither the issuance of the permit nor compliance with the conditions thereof, nor with the provisions of this article, shall relieve any person of any responsibility otherwise imposed by law for damage of persons or property; nor shall the issuance of any permit pursuant to this article serve to impose any liability upon the county, its officers, board members or employees, for injury or damage to persons or property. The permit issued pursuant to this article does not relieve the applicant of the responsibility of complying with any other county ordinance or state law.
- f. Special conditions. A permit issued by Cobb County shall specify any special conditions under which the land disturbing permit may be undertaken.
- g. The permit may be suspended, revoked, or modified by the Local Issuing Authority ("LIA"), as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this ordinance. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.
- h. The LIA may reject a permit application if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application, pursuant to O.C.G.A. § 12-7-7(f)(1).

ARTICLE IV. – POST CONSTRUCTION STORMWATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT

DIVISION 1. – GENERALLY

Sec. 50-112 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 50-112. - Maintenance of stormwater facilities—Privately owned.

(a) All private stormwater management facilities in the county shall be maintained by the owners thereof in such a manner as to maintain and enhance the public health, safety and general welfare in order to be assured that such facilities are safe and will not result in injury or harm to persons or property, to reduce and minimize damage to public and private property, to reduce and minimize the impact of such facilities on land and stream channel erosion, to assist in the attainment and maintenance of water quality standards, to reduce local flooding, and to maintain, as nearly as possible, the preexisting development runoff characteristics of the area. All such maintenance of such facilities shall be at the sole cost and expense of the owners thereof.

(b) It shall be unlawful for the owner or the occupant of any property upon which is located a stormwater management facility to fail to maintain such facility in such a manner that the

facility does not create a danger to the public health, safety or welfare. Should the owner fail to so maintain such facility, such failure shall constitute a public nuisance. The manager shall be entitled to inspect all stormwater management facilities subject to this article at all reasonable times in order to determine compliance or noncompliance with the terms and provisions of this article.

(c) ~~Subject to the terms of subsection (d) of this section, the manager shall provide written notice to the owner or the person in possession, charge or control of any property constituting a public nuisance under this article, stating that in the best professional judgment of the manager the conditions existing upon the property constitute a nuisance, setting forth action to be taken to eliminate the objectionable conditions, and requesting that such action be undertaken within the number of days specified in the notice. When the property is in a residential subdivision, the manager shall provide all properties associated with the stormwater management facility a copy of said notice. If the conditions constituting a public nuisance are not abated by the owner or the person in possession, charge or control of the property within the amount of time specified in the notice, then the county may address the nuisance under Chapter 83, Nuisance pursuant to subsection (d) of this section.~~ Under emergency circumstances where there exists the danger of bodily injury or death, the manager is not required to provide a written notice before the county addresses the nuisance.

(d) Nothing contained in this article shall impair the right of the county to exercise any and all other remedies available at law or in equity, including, without limitation, the pursuit of injunctive relief, under emergency circumstances where there exists the danger of bodily injury or death.

(Ord. of 9-28-93; Code 1977, § 3-22.5A-39; Ord. of 4-13-04; Amd. of 11-20-25)

DIVISION 3. – INSPECTION AND MAINTENANCE

Subdivision II. – On-Site Facilities

The Official Code of Cobb County, Georgia, is amended by adding a section numbered 50-163 to read as follows:

Section 50-163. – Owner’s Failure to Maintain Private Stormwater Management Systems.

The terms of the inspection and maintenance agreement shall provide for what constitutes a failure to maintain private stormwater management system and the enforcement options available to the county. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then:

(a) An owner’s failure to maintain the stormwater facility so that it performs as it was originally designed shall constitute and be addressed as a violation of or failure to comply with this article and owner’s property maintenance obligations pursuant to Section 18-186.

(b) To address such a failure to maintain the stormwater management system, the county shall have all the powers and remedies that are available to it, pursuant to Sections 50-112 and 50-113 or through the adopted International Property Maintenance Code.

Secs. 50-163~~4~~—50-180. - Reserved

ARTICLE VII. - NOISE

Sec. 50-257 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 50-257. Violations and penalty.

...

(b) Except as otherwise provided herein, it shall be unlawful for any person to make, continue or cause to be made or continued any loud noise which either disturbs, injures or endangers the comfort, repose, health, peace or safety of others in the unincorporated areas of the county which:

~~(1) From 7:00 a.m. until 10:59 p.m., exceeds 70 dBA measured from the complainant location;~~

~~(2) From 11:00 p.m. until 6:59 a.m., exceeds 65 dBA measured from the complainant location.~~

(1) Exceeds 70 dBA, measured from the complainant's location:

a. From 7:00 a.m. until 9:59 p.m. on Sunday through Thursday; or

b. From 7:00 a.m. until 10:59 p.m. on Friday and Saturday.

(2) Exceeds 65 dBA, measured from the complainant's location:

a. From 10:00 p.m. until 6:59 a.m. on Sunday through Thursday; or

b. From 11:00 p.m. until 6:59 a.m. on Friday and Saturday.

Sec. 50-258 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 50-258. Enumeration of prohibited noises.

...

(15) *Consumer fireworks.* Covered under chapter 10 of title 25, O.C.G.A. § 25-10-2, prohibited fireworks activities; application of noise ordinance. It shall be unlawful for any person to ignite or otherwise use consumer fireworks as defined in O.C.G.A. § 25-10-1(a)(1) within 200 yards of a facility housing equines in a confined area. Except as otherwise provided in this paragraph, it shall be unlawful for any person to use, ignite, or cause to be ignited any consumer fireworks, as defined in O.C.G.A. § 25-10-1, outside the hours beginning at 10:00 a.m. and continuing through 8:59 p.m. on any day of the week. Notwithstanding the foregoing restriction, consumer fireworks may be used, ignited, or caused to be ignited:

a. On January 1, the last Saturday and Sunday in May, July 3, July 4, the first Monday in September, and December 31 of each year, beginning at 10:00 a.m. and continuing through 11:59 p.m., as provided in O.C.G.A. § 25-10-2(b)(3)(B)(ii);

b. On January 1 of each year, beginning at 12:00 midnight and continuing through 1:00 a.m., as provided in O.C.G.A. § 25-10-2(b)(3)(B)(iii); or

- c. On such additional dates, at such additional times, and at such locations as may be expressly authorized by a special-use permit issued by the county pursuant to O.C.G.A. § 25-10-2(b)(3)(D) and any applicable county permit requirements.

The use or ignition of consumer fireworks during any otherwise permitted date or time shall remain subject to all other applicable provisions of this Code and state law.

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 54

Package I
Version I - distributed on September 4, 2026

Board of Commissioners Public Hearing Dates
October 13, 2026 – 9:00 a.m.
October 27, 2026 – 6:00 p.m.

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Chapter 54 - FIRE PREVENTION AND PROTECTION

ARTICLE III. – FIRE SAFETY STANDARDS

Section 54-51 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 54-51. Life safety certificate of occupancy requirement.

- (a) This Code section shall apply to the state minimum fire safety standards enforced by the fire marshal's office. This Code section shall not apply to separate certificate of occupancy requirements enforced by the community development agency.
- (b) Every building, structure, or tenant space shall have a certificate of occupancy issued by the Cobb County Fire Marshal's Office before such building, structure, or tenant space may be occupied. Such certificates of occupancy shall state the occupant load for such business establishment or building and shall be posted in a prominent location within such business establishment or building.

Exception 1: One-family and two-family dwellings, one-family and two-family row houses (townhouses) separated by a two-hour fire wall and two-family townhouses separated by a two-hour fire wall.

Exception 2: Residences providing in-home day care (if ~~five~~ six or fewer clients/attendees) and businesses not open to the public located in one-family and two-family dwellings.

- (c) Such certificates of occupancy shall run for the life of the building, structure or tenant space, except where there is a change in the classification of occupancy, substantial renovation, reconstruction due to fire or other hazard of serious consequence, renovation or addition.
- (d) Change in the classification of occupancy includes changes that place the building, structure, or tenant space in a different subclassification of the same group or occupancy, or in a different group of occupancies.
- (e) Where there has been any change in the classification of occupancy, substantial renovation or reconstruction due to fire or other hazard of serious consequence, the building or structures therein, shall be constructed to meet requirements for new construction of the code edition adopted at the time plans are approved for the change of occupancy, substantial renovation or reconstruction due to a fire or other hazard of serious consequence.
- (f) Where there has been any renovation or addition, the area included in the renovation or addition shall be constructed to meet requirements for new construction of the code edition adopted at the time plans are approved for the renovation or addition. For the purposes of this section, the area included in the renovation or addition shall be limited to such area as clearly outlined on the construction plans/permit documents.
- (g) Where there has been no change in the classification of occupancy, substantial renovation (as defined in subsection (i)), reconstruction due to fire or other hazard of serious consequence, renovation or addition but merely a change in owner or a change in business name, and a valid certificate of occupancy has previously been issued for the building, structure, or tenant space, a "Notice of Information Change Form" shall be completed by the new owner and/or occupant and submitted to the Cobb County Fire Marshal's Office. A

new certificate of occupancy will not be issued by the fire marshal unless required by the state minimum fire safety standards, and in such case a joint certificate of occupancy or fire-only certificate of occupancy may be issued.

- (h) Business owners subleasing a portion of any space with a valid certificate of occupancy shall complete a "Notice of Information Change Form" and submit to the Cobb County Fire Marshal's Office. A new certificate of occupancy will not be issued by the fire marshal unless required by the state minimum fire safety standards, and in such case a joint certificate of occupancy or fire-only certificate of occupancy may be issued. Businesses operating from an established executive suites or an executive office space are not required to submit a sublease application.
- (i) For the purposes of this Code section, "substantial renovation" means any construction project in which the cost of construction exceeds the structure's assessed value as recorded in the tax assessors' records at the time of renovation. A "fire or other hazard of serious consequence" means any incident or condition, including but not limited to fire, structural damage, environmental contamination, or system failure, that results in conditions requiring a substantial renovation to restore the building or structure to a safe and occupiable condition.
- (j) For purposes of this Code section, renovation means any construction project that involves removing or adding walls, doors, or windows; performing electrical or plumbing work that requires a permit; or making structural modifications or alterations to the building or its systems.
- (k) Construction, reconstruction, substantial renovation, renovation, or addition shall be prohibited without plans approved by the fire marshal's office prior to any work being performed.
- (l) Penalties and enforcement.
 - (1) Any person or entity that fails to obtain a valid certificate of occupancy from the fire marshal's office prior to occupancy as required under subsection (b) of this Code section shall be guilty of an ordinance violation.
 - (2) Upon ascertaining such a violation, a notice of violation shall be directed to the owner of the property and shall provide a timeframe for compliance. The notice issued pursuant to this section may be served upon the party responsible for the violation, either by personal service, mail, or by process server.
 - (3) In the event that the compliance time period passes and the certificate of occupancy has not been obtained, a citation shall issue requiring a court appearance. The maximum penalty for a violation prosecuted in court shall not exceed \$1,000.00 or imprisonment for up to six months, of both, as authorized by state law.
 - (4) Any person who shall violate any of the provisions of this article or fail to comply therewith, shall for each and every such violation and noncompliance, respectively, be guilty of an ordinance violation. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue.
 - (5) The provisions of this subsection (l) shall not apply to: the following occupancies, as defined in subsection (b) of this Code section and classified according to the applicable zoning designation and land use classification established by either Cobb County's

Unified Development Code or the zoning ordinance of the respective municipality receiving services from Cobb County Fire and Emergency Services:

- a. One-family and two-family dwellings, including townhouses separated by a two-hour fire wall;
- b. Residences providing in-home day care for ~~five~~ six or fewer clients; and
- c. Businesses not open to the public that operate from one-family or two-family dwellings.

(Amd. of 2-23-10; Ord. of 7-27-10; Amd. of 2-23-16; Amd. of 5-23-17; Amd. of 11-20-25; Amd. 2026)

Section 54-59 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 54-59. Hydrant obstruction and hydrant maintenance.

- (a) Cobb County Fire and Emergency Services shall have ~~For private fire hydrants located at one-family and two-family dwellings, including townhouses and condominiums, Cobb County Fire and Emergency Services shall have~~ the authority to enforce all codes with regards to privately owned fire hydrants including but not limited to: location, inspections, maintenance, flow test (every three years) and obstructions within the service area served. These private hydrants shall comply with the applicable codes, standards and local ordinances currently adopted by Cobb County and shall be enforceable per the terms of section 54-51 of this chapter.
- (b) All hydrants shall be painted silver as needed. Reflective tape a minimum of one-inch wide shall be placed around the entire circumference of the bonnet with the ends overlapping a minimum of one inch. White reflective tape shall be used on all public fire hydrants. Orange reflective tape shall be used on all fire hydrants that are not owned and/or maintained by Cobb County Water System. Painted tape or worn tape shall be replaced. Contact the Cobb County Fire Marshal's Office for information on reflective tape that has been approved for use on fire hydrants.
- (c) Hydrants other than those owned and/or maintained by Cobb County Water System shall have general maintenance performed annually in accordance with the currently adopted edition of NFPA 25. Maintenance and flow test records shall be ~~maintained on the premises for inspection by the Cobb County Fire Marshal's Office~~ presented to Cobb County Fire and Emergency Services within 5 business days of the inspection or work. Submittal of records shall carry a fee as approved by the Cobb County Board of Commissioners. A weather-resistant tag shall be affixed to each hydrant indicating the date of inspection, the name of the company responsible for the inspection, and the operational status of the hydrant using the following color system: green shall indicate that no deficiencies are present and the hydrant is fully operational; yellow shall indicate that deficiencies were found, but the hydrant remains functional; and red shall indicate that the hydrant is non-operational and will not function as intended. All maintenance shall be performed by a qualified company on file with the Cobb County Fire Marshal's Office.
- (d) Hydrants other than those owned and/or maintained by Cobb County Water System shall be flow tested every three years. Flow testing shall be done in accordance with

requirements in the American Water Works Association M17 manual, "Installation, Field Testing, and Maintenance of Fire Hydrants." A site map showing flow and residual hydrants (numbered appropriately) shall be provided with each report. The flow test shall be performed by a qualified company on file with the Cobb County Fire Marshal's Office.

- (e) All hydrants shall be installed and maintained such that the center of any hose outlet shall not be less than 18 inches above final grade.

(Ord. of 7-26-05; Ord. of 7-25-06; Amd. of 2-24-15; Amd. of 11-20-25; Amd. 2026)

Section 54-62 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 54-62. Fire watch, special fire services.

- (a) The fire department, fire marshal, fire official, fire chief or their designee, shall have the authority to require, assess and collect fees for special fire services, including, but not limited to fire watch, fire standby, the cleanup of hazardous materials, lift assist, and/or an approved fire watch when potentially hazardous conditions or a reduction in a life safety feature exist due to the type of performance, display, exhibit, occupancy, contest or activity; or an impairment to a fire protection feature; or the number of persons present.
- (b) Where special fire services, standby fire personnel or an approved fire watch is required or requested:
 - (1) When required by the fire marshal, the business, owner, agent, or lessee shall identify and designate one or more qualified persons, as required and approved to be on duty;
 - (2) The cost of special fire services and/or standby fire personnel shall be at no cost to the fire department and shall be assessed as provided in this section;
 - (3) Such standby fire personnel or fire watch personnel shall be subject to the orders of the fire marshal, or his/her designee, at all times and shall be identifiable and remain on duty during the times such places are open to the public, when such activity is being conducted, or while such impairment or condition remains, as required by the fire marshal, or his/her designee;
 - (4) The fire watch and/or special fire services shall be documented using a fire watch log or other record to be maintained at the protected facility and available to fire department personnel at all times. The fire watch log or record shall contain, but not be limited to, the following information: date and time of the special fire service or fire watch duty, beginning and ending times of each patrol, any fire safety hazards found, record of communication with the fire department and alarm monitoring company, and a record of other information as required by the fire marshal, fire chief, or their designee; and
 - (5) The fire department shall be authorized to establish and collect fees to recover costs for providing special fire services, including, but not limited to equipment, supplies, and/or personnel affiliated with special fire services, fire standby, fire watch, fire inspections, lift assist, responding to a hazardous condition and/or similar special fire services requested by an entity doing business or providing services in Cobb County or where required by the authority having jurisdiction to protect public safety pursuant to fee schedule(s) established under this section.

- (6) Fee schedule(s). The fire department and/or fire marshal shall establish a separate or combined fee schedule for all special fire services under this section and present said fee schedule(s) to the board of commissioners for initial approval and for any amendment to the same. The assessment of such fees shall be made against the person, firm, partnership, corporation or organization requesting or responsible for the special fire service within six months from the last date of service. Notice of assessment shall be in writing and sent to the responsible entity and/or individual via ~~certified U.S. Mail with a copy via~~ first class U.S. Mail. The fire marshal and/or fire department shall establish a process for assessing and tracking fees under this section.
- (7) Payment of costs. Costs assessed pursuant to this article, including reasonable attorney fees, court costs and administrative costs shall be payable by the person, firm, partnership, corporation, insurance company or organization requesting or responsible for the fire service(s). These costs shall be paid within 60 days of the date of the notice of assessment and shall bear interest at ten percent per annum from the date when same becomes due and payable. The county may pursue collections and/or proceed in a court of valid jurisdiction to collect any fees or monies remaining unpaid under this section from a responsible party and shall have any and all other remedies provided by and subject to law for the collection of said charges.
- (8) Lien. In addition to any civil remedy allowed by law, the assessment under this section shall constitute a lien in favor of the county on any property, real or personal, owned by the person, firm, corporation, partnership or organization which shall be enforceable pursuant to O.C.G.A. § 48-4-78 for delinquent ad valorem taxes, which may include all amounts due under this article. Redemption of the property from the lien may be made in accordance with the provisions of O.C.G.A. §§ 48-4-80 and 48-4-81.
- (9) Penalties. Any person who shall violate any of the provisions of this chapter or fail to comply herewith, or who shall violate or fail to comply with any order made hereunder may be subject to the penalties set forth in Code section 54-3 and/or section 54-87.
- (10) Non-exclusive remedy. The penalties and remedies provided by this article shall be in addition to any other remedies or penalties provided by law.
- (c) For the purposes of this section, the terms used herein are defined as follows:
 - (1) *Fee schedule* means the separate or combined fee schedule(s) prepared and presented by the fire chief, fire marshal and/or their designee to the board of commissioners for approval by resolution, which may be amended from time to time.
 - (2) *Fire watch* means a temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department. Fire watch shall be approved and performed by a currently certified Georgia fire inspector working within the Cobb County fire marshal's office.
 - (3) *Hazardous condition* means a response to any request for special fire services or emergency that involves the disposal, removal, storage, investigation, remediation or cleanup of:
 - a. Any substance or mixture of substances which is toxic, corrosive, an irritant, a strong sensitizer, flammable or which generates pressure through decomposition,

heat or other means, if such substance or mixture of substances may cause substantial personal injury or substantial illness during, or as a proximate result of, any customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion by children; and/or

- b. Any substances, elements, or compounds which are contained in the list of hazardous substances adopted by the United States Environmental Protection Agency (EPA) and the list of toxic pollutants defined by the United States Congress.
- (4) *Lift assist* means a request for and response by fire department personnel to assist in physically moving a person who has fallen and who does not require emergency care or medical transportation and who is located in a hospital, group home, continuing care retirement community, assisted living facility, independent living facility, nursing home, adult family home and/or rest home, commercial care facility or as otherwise defined in Cobb County Code section 134-1, as amended. This also includes businesses hired for transport services who solicit help from the Cobb County Fire & Emergency Services personnel to load, unload, or relocate a patient in their care.
- (5) *Special fire service* means those special fire services designated and listed in the fee schedule(s), as amended, including, but not limited to fire watch, fire standby, the cleanup of hazardous materials, lift assist, and the equipment, supplies, and/or personnel affiliated with such special fire services.

(Amd. of 2-23-16; Amd. of 2-9-21; Amd. 2026)

ARTICLE VII. – ALARM SYSTEMS

Section 54-101 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Sec. 54-101. Fire alarm requirements.

- (a) All fire alarm systems and monitoring stations shall be in compliance with NFPA 72.
- (b) With the exception of premises covered by a fire alarm action plan, fire alarm systems shall automatically call 911 upon activation of a fire alarm (prior to the investigation of the cause of any fire alarm) when any fire safety standard adopted under section 54-52 or 54-54 of this code requires emergency forces notification and/or a supervised sprinkler system for said premises.
- (c) Only a licensed alarm contractor shall work on a fire alarm system. ~~Effective July 1, 2015, each licensed alarm contractor shall have at least one individual on each job site currently certified by NICET (National Institute for Certification and Engineering Technologies) in fire alarm systems or equivalent as accepted by Georgia Automatic Fire Alarm Association (GAFAA), Georgia Electronic Life Safety and Systems Association, and the county fire marshal. Proof of certification shall be kept on the person of the certified individual.~~
- (d) All work performed on a fire alarm system shall require plans to be submitted to and approved by the fire marshal's office prior to any work being performed. Effective July 1, 2016, all fire alarm plan submittals shall be made only by persons currently certified by NICET (National Institute for Certification and Engineering Technologies) in fire alarm systems or their equivalent as accepted by Georgia Automatic Fire Alarm Association

(AFAA), Georgia Electronic Life Safety and Systems Association, and the county fire marshal. Proof of current certification shall be stamped on the plans and/or a copy of the certification shall accompany the submittal.

- (e) Effective July 1, 2016, all documentation submitted to the fire marshal's office shall be completed and signed by persons currently certified by NICET (National Institute for Certification and Engineering Technologies) in fire alarm systems or their equivalent as accepted by Georgia Automatic Fire Alarm Association (AFAA), Georgia Electronic Life Safety and Systems Association, and the county fire marshal. Such documentation shall include, but not be limited to, record of completion forms, inspection testing and maintenance forms, permit applications, etc. Proof of current certification shall accompany the submitted documentation.
- (f) Effective July 1, 2016, all inspection, testing, and maintenance of any alarm system shall be only by persons currently certified by NICET (National Institute for Certification and Engineering Technologies) in fire alarm systems or their equivalent as accepted by Georgia Automatic Fire Alarm Association (AFAA), Georgia Electronic Life Safety and Systems Association, and the county fire marshal.
- (g) Electronic Security Association (ESA) National Training School (NTS) Certified Fire Alarm Technician (CFAT) Level II shall be an approved equivalent for NICET certification.
- (h) All fire alarm systems shall be inspected annually in accordance with the currently adopted edition of NFPA 72. Maintenance records shall be submitted to the Fire Marshal's Office. Submittal of records shall carry a fee as approved by the Cobb County Board of Commissioners. A tag shall be affixed to the fire alarm control panel indicating the date of inspection, the company responsible for the inspection, and the status of the fire alarm system using the following color code: green shall indicate no deficiencies are present; yellow shall indicate deficiencies were found, but the fire alarm system will still function; and red shall indicate that the fire alarm system will not operate at all. All maintenance shall be performed by a licensed fire alarm company.

(Amd. of 2-26-08 (eff. 1-1-09); Amd. of 2-24-15; Amd. of 2-23-16; Amd. of 5-23-17; Amd. of 11-20-25; Amd. 2026)

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 66

Package I
Version I - distributed on September 4, 2026

Board of Commissioners Public Hearing Dates
October 13, 2026 – 9:00 a.m.
October 27, 2026 – 7:00 p.m.

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Chapter 66 – HISTORIC PRESERVATION

ARTICLE II. – HISTORIC PRESERVATIO COMMISSION

Section 66-28 of the Official Code of Cobb County, Georgia is amended to read as follows:

Sec. 66-28. - Membership; number, appointment, terms and compensation.

The historic preservation commission shall consist of five members appointed by the board of commissioners, who shall be residents of the county who have demonstrated special interest, experience, or education in history, architecture, or the preservation of historic resources. Each member of the board of commissioners shall be entitled to appoint one member to the commission. ~~The term of each member shall run concurrently with and at the pleasure of the appointing commissioner's term of office and until a successor is appointed and qualified. The~~ term of each member shall be not greater than three years. If an appointing commissioner is no longer in office due to a general election or a special election in which more than one year remains in that commissioner's term, any member appointed by that commissioner may be removed with or without cause and without regard to any unexpired term by the newly elected commissioner filling such seat. The newly elected commissioner shall have the right to appoint a new member to the commission under the same requirements as his predecessor as set forth in this section. Members do not receive a salary, although they may be reimbursed for expenses if approved by the board of commissioners. No person who holds elective public office shall be eligible to serve as a member during the term of such elective office, and the position of any member shall be deemed vacant upon such member qualifying as a candidate for elective public office. Such vacancy shall be filled for an unexpired term in the manner that original appointments are required to be made.

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 78

Package I
Version I - distributed on September 4, 2026

Board of Commissioners Public Hearing Dates
October 13, 2026 – 9:00 a.m.
October 27, 2026 – 7:00 p.m.

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Chapter 78 – LICENSES, PERMITS AND BUSINESSES

The Official Code of Cobb County, Georgia, is amended adding Chapter 78, Article VIII, Sec. 78-560 – 78-576, to read as follows:

ARTICLE VIII. – VAPOR PRODUCT RETAILERS

Sec. 78-560. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alternative nicotine product means any non-combustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means.

Church means a permanent building where persons regularly assemble for religious worship and shall be publicly designated as a church, but shall not include a residence also used for religious purposes.

Closed-system vapor product means any disposable vapor product or pre-filled cartridge system that is sealed by the manufacturer and not intended to be refilled by the consumer or retailer.

College means only such state, county, city, church or other colleges as teach the subjects commonly taught in the common colleges of this state, and shall not include private colleges where only specialized subjects such as law, stenography, business, music, art, medicine, dentistry, vocational occupations and other special subjects are taught. The definition of college shall include a university.

Distance means the measurement in lineal feet from the center of any door of customer entry of the proposed premises of a licensee to the nearest property line of any church, library, school, park, public housing, public hospital, vapor product retailer or private residence as defined in this section. A radius shall be measured from the center of any door of customer entry of the proposed premises of any licensee to the nearest property line of any church, library, school, park, public housing, public hospital, vapor product retailer or private residence as defined in this section.

E-liquid or E-juice means any liquid, gel, or substance intended to be aerosolized and inhaled using a vapor product, whether or not it contains nicotine.

License review board means the board created under section 6-90.

Minor means a person less than 21 years of age.

Open-system vapor product means any electronic device, mod, or tank system designed to be manually filled or refilled with e-liquids by a consumer or retail operator.

Private residence means a house or dwelling wherein not less than one or more than two families customarily reside and shall not include a mobile home, an apartment house having facilities for housing more than two families, a boardinghouse or roominghouse where there are five or more boarders or roomers, any residence which has been unoccupied for a period of six

consecutive months immediately prior to the filing of any application for license, or any residence that shall be a nonconforming use in a commercial zone.

Retail sale means selling or offering for sale vapor products to any member of the public.

School means only such state, county, city, church, private, or other schools, including day care facilities as teach Georgia State accredited curriculum taught in the common public schools of this state. This definition shall not include private post-secondary schools where only specialized subjects such as law, stenography, business, music, art, medicine, dentistry, vocational occupations and other special subjects are taught.

Underage person means a person who is less than 21 years of age.

Vape lounge or consumption on-premises establishment means any commercial establishment holding a valid local permit where patrons are permitted to sample, test, or consume aerosolized vapor products inside the physical structure.

Vapor Product means any noncombustible product that uses a heating element, battery, or electronic circuit to produce a vapor from nicotine or other solutions. This includes electronic cigarettes, cigars, pipes, and related cartridges. Vaping is legally classified as **smoking**.

Vapor Product Retailer License means a license issued by Cobb County authorizing a person to engage in the retail sale, offer for sale, display for sale, exchange, or distribution of vapor products to consumers from a fixed place of business located within the unincorporated area of Cobb County. A Vapor Product Retailer License authorizes only those activities permitted by this Article and shall not relieve the licensee from obtaining any permit, registration, certificate, or license required by federal, state, or local law.

Vape shop or retail establishment means any commercial enterprise whose primary business model, 75% or more of its total sales is from the retail sale, display, or distribution of vapor products, e-liquids, devices, and associated hardware to the public for off-premises use.

Sec. 78-561. Purposes of chapter.

This chapter has been enacted for the purposes, among others, of promoting the health and general welfare of the community; to establish reasonable and ascertainable standards for the regulation and control of the licensing and sales of vapor products; to protect and preserve schools and churches; to give effect to existing land use and preserve the sanctity of certain residential areas, with reasonable consideration being given, among others, to the character of the areas and their peculiar suitability for particular uses, the congestion in the roads and streets, and with a general view of promoting desirable living conditions and sustaining stability of neighborhoods and property values; and to protect against concentration of the retail outlets for vapor products in one-family residential areas or to prevent undesirable persons from engaging in or having any interest in vapor products.

Sec. 78-562. Distance requirements—From residences.

No license under this chapter shall be issued to any location which is within a 300-foot radius of a property line of a private residence; however, upon appeal, if the license review board, at a public hearing, shall determine that the property values of the residence or residences will not be affected, that the quiet enjoyment of the premises by the residents thereof shall not be

adversely affected, and that the grant of such license shall have no other adverse effect on the residents, the license review board or the board of commissioners may waive this provision of this section by granting a distance waiver. A distance waiver remains in effect for any vapor product retailer license for that location provided that the establishment does not cease operation for 12 or more months, and the business activity does not change. This section shall not apply to residences located within commercial zones. The distance requirements from residences sited in this section do not apply to any residentially used structures that are contained in the PVC, RRC, UVC, and ROD zoning categories

Sec. 786-563. Distance requirements—From schools, churches, parks or libraries.

No license shall be issued under this chapter where the place of business of the applicant is located within a radius distance of 600 feet of a public library, church, public park, or school or college. However, at a public hearing the license review board or the board of commissioners may waive the distance requirements of this section by granting a distance waiver if satisfactory evidence shall be produced before the license review board or the board of commissioners that no adverse effect to property values or the use of the facilities for the purposes aforesaid would occur if a license was granted. A distance waiver remains in effect for any vapor product retailer license for that location provided that the establishment does not cease operation for 12 or more months, and the business activity does not change.

Sec. 78-564. Distance requirements—From vapor retailer.

No license shall be issued under this chapter where the place of business of the applicant is located within a radius distance of 2,500 feet of another vapor retailer. However, at a public hearing the license review board or the board of commissioners may waive the distance requirements of this section by granting a distance waiver if satisfactory evidence shall be produced before the license review board or the board of commissioners that no adverse effect to property values or the use of the facilities for the purposes aforesaid would occur if a license was granted. A distance waiver remains in effect for any vapor product retailer license for that location provided that the establishment does not cease operation for 12 or more months, and the business activity does not change.

Sec. 78-565. Distance requirements—Exemption for existing establishments.

Any application for renewal or transfer of license under this chapter on an existing licensed location shall not be required to meet the distance requirements from churches, schools, private residences, vapor retailers, and other distance requirements set forth in this chapter. An application filed under this section shall meet and qualify under all other requirements of this chapter for the granting of a new license.

Sec. 78-566. Filing of plats.

- (a) Each application for an vapor product retailer license at a location for which there is no existing county license within the preceding 12 consecutive months from the date the application was filed with the Cobb County Business License Division for the same type of vapor product retailer license in effect shall include a blue line copy of a surveyor's plat, 8½ inches by 11 inches in size, with a scale of one inch equals 200 feet, showing the location of the building or proposed building and location of all customer entries in relation and distance to all real property and buildings on such real property which fall within the distance requirements set forth in sections 78-562, 78-563, and 78-564, together with the zoning classifications and present uses of all such real property. Each application for a vapor product retailer license at a location which has not previously been occupied for other than residential purposes or on which there is or is to be new construction shall also include a copy of a site plan approved by the community development department.
- (b) All real property, locations, structures and improvements thereon shall comply with all county building codes, zoning and planning ordinances and requirements, and all other county ordinances. After issuance of any license under this article, no change in the location of the building or customer entry locations may be made which would affect compliance with any distance requirements of this article. Any such change must be pre-approved by the business license division manager or processes described in this article.

Sec. 78-567. Additional architectural standards for retail sales establishments.

No screen, blind, curtain, partition, article or thing which prevents a clear and unobstructed view into the interior shall be permitted in the window or upon the doors of any retail store for the sale of vapor products, and no booth, screen, partition or other obstruction shall be permitted within the interior of any such store. Each such store shall be so lighted that the interior of the store is visible day and night.

Sec. 78-568. Administration of this article.

- (a) Authority of business license division manager. The business license division manager shall administer and enforce the provisions of this article for the levy and collection of the tax imposed by this article.
- (b) Rules and regulations. The business license division manager shall have the power and authority to make and publish reasonable rules and regulations not inconsistent with this article or other laws of the county and the state, or the constitution of this state or the United States, for the administration and enforcement of the provisions of this article and the collection of taxes under this article.

Sec. 78-569. Enforcement

- (a) The Cobb County Police Department and any other regulatory agency in the county shall enforce this ordinance.

- (b) Authorized officers may conduct compliance inspections, investigations, and age-verification checks in a manner consistent with Georgia State law.

Sec. 78-570. Violations of chapter.

The violation of any of the provisions of this article by the holder of a license under this article or the licensee's agents or employees, whether compensated or not, shall subject the holder of such license to revocation, suspension or probation of the license.

Sec. 78-571. Prohibited Acts

- (a) No retailer shall sell, furnish, distribute, or permit the purchase of any vapor product to anyone under 21 years of age.
- (b) No minor shall purchase, attempt to purchase, or possess any vapor product, except as otherwise permitted under Georgia law.
- (c) No retailer shall sell a vapor product without first verifying the age of the purchaser by means of a valid, government-issued photographic identification.

Sec. 78-572. Keeping or storing vapor products.

It shall be unlawful for any person or licensee to keep, possess or store any vapor products where 75% of total sales is from vapor product sales without appropriate, valid and current state and local licenses for such products.

Sec. 78-573. Removal of signs and vapor products from unlicensed premises.

When any license for selling vapor products is revoked, suspended or denied, or there is no valid state and county license in existence for the sale of those vapor products, the sale of those vapor products at that location shall immediately cease; and all signs indicating that such products may be sold or purchased at the location and all such vapor products shall be removed from the place of business, both outside and inside.

Sec. 78-574. Administrative penalty.

Any person or retailer violating this ordinance shall be subject to the following administrative penalty.

- (1) An administrative penalty of \$300.00 for the first violation of this chapter.
- (2) An administrative penalty of \$600.00 for the second violation of this chapter in 12 months.
- (3) An administrative penalty of \$1,200.00 for the third or subsequent violation of this chapter in 12 months.

- (4) Upon a fourth violation of this chapter occurring within any 12-month period, the licensee shall be subject to a hearing before the license review board, at which time the license review board may suspend or revoke the applicable license.

Sec. 78-575. – Issuance; appeals.

- (a) Application, issuance, denial. Except as otherwise provided, no person may operate a vape shop without a vapor product retailer license. The business license division manager shall review all applications and determine whether to issue the license. Any applicant who is denied shall have the right to appeal such decision to the license review board. Appeals to the license review board must be filed with the business license division within 30 days of the denial. After a hearing, the license review board may approve or deny the license. The decision shall be final unless appealed as set forth below.
- (b) A decision of the license review board shall be final unless appealed to the board of commissioners within ten days of the date of decision by the license review board. The board of commissioners shall review a summary of the hearing before the license review board within 30 days of the date of the license review board's recommendation to waive the distance requirements of sections 78-562, 78-563, or 78-564 or direct the business license division manager to place the matter down for a hearing and take any authorized action concerning the applicant's requested license. If the board of commissioners opt to review a summary of the hearing before the license review board, it may, after such review, place the matter down for a hearing and take any authorized action concerning the applicant's requested license. No license shall be issued until the board of commissioners has reviewed the summary and made a decision on whether to place the matter down for hearing. In the event the board of commissioners affirms the decision of the license review board to issue a license, the appropriate license or licenses shall be issued.
- (c) The decision of the board of commissioners on an appeal under this article shall be final unless appealed. Any aggrieved party may appeal a decision of the board of commissioners by filing a petition for review pursuant to O.C.G.A. § 5-3-1 et seq. to the superior court within 30 days of the decision of the board of commissioners.

Sec. 78-576. – Effective date.

This article shall be effective April 1, 2027.

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 83

Package I
Version I - distributed on September 4, 2026

Board of Commissioners Public Hearing Dates
October 13, 2026 – 9:00 a.m.
October 27, 2026 – 7:00 p.m.

Cobb County Community Development
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Chapter 83 – NUISANCES

ARTICLE I. – IN REM NUISANCE ABATEMENT

Section 83-4 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 83-4. - Findings.

The board of commissioners finds that there exist in unincorporated county properties which are unfit for human habitation or for commercial, industrial, or business uses due to dilapidation and which are not in compliance with applicable codes; which have defects increasing the hazards of fire, accidents, or other calamities; which lack adequate ventilation, light, or sanitary facilities; ~~which have improperly maintained stormwater facilities resulting in flooding, erosion, or water quality degradation;~~ which have other conditions that render such properties unsafe or unsanitary, or dangerous or detrimental to the health, safety, or welfare, or otherwise inimical to the welfare of the residents of the county; which are nuisances pursuant to general nuisance law and constitute a hazard to the health, safety and welfare of the people of the county; and/or which are vacant and being used in the commission of drug crimes.

Section 83-5 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 83-5. - Definitions.

As used throughout this article, the term:

Applicable codes means (1) any housing or abatement standard provided in O.C.G.A., title 8, ch. 2, including standard minimum codes as adopted now or hereafter by ordinance and codified under chapter 18 of the Official Code of Cobb County, Georgia, or by operation of law, or other property maintenance or building standards or codes as adopted now or hereafter by ordinance or operation of law, or general nuisance law, relative to the safe use of real property; and (2) any fire or life safety code as provided for in O.C.G.A., title 25, ch. 2; ~~(3) any requirements for stormwater facilities and the maintenance thereof found in articles IV and V of chapter 50 of the Official Code of Cobb County; and/or (4) requirements of the Metropolitan North Georgia Water Planning District's regional water plan, the Georgia Stormwater Management Manual.~~ Any such building or minimum standard codes for real property improvements shall be deemed to mean those building or minimum standard codes in existence at the time such real property improvements were constructed unless otherwise provided by law.

...

Property means any lot, tract, or parcel of real estate whether improved or unimproved. It shall include any dwelling, building, structure, or part thereof used and occupied for human habitation or commercial, industrial, or business uses, or intended to be so used, and includes any outhouse, improvement, and appurtenance belonging thereto or usually enjoyed therewith and also

includes any building or structure of any design. The term shall expressly include, for means of amplification and not limitation, swimming pools, ~~stormwater facilities~~, and wells. Also as used in this article, the term shall not mean or include any farm, any building or structure located on a farm, or any agricultural facility or other building or structure used for the production, growing, raising, harvesting, storage, or processing of crops, livestock, poultry, or other farm products.

...

Public officer means either the director of community development or his or her designee, the director of public safety or his or her designee, ~~the director of the county water system or his or her designee~~, or the director of the county board of health or his or her designee.

...

Section 83-6 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 83-6. - Duties of property owners.

- (a) It is the duty of the owner of every property located within unincorporated Cobb County (1) to construct and maintain such property in conformance with applicable codes in force within unincorporated Cobb County, or such ordinances which regulate and prohibit activities on property and which declare it to be a public nuisance to construct or maintain any property in violation of such codes or ordinances; and (2) to keep such property reasonably clean and free of any materials or conditions which create a health or safety hazard either on such property or to surrounding persons or properties; ~~and (3) to properly maintain stormwater facilities located on the property to prevent flooding, erosion, and contamination of water resources.~~
- (b) No owner shall allow any property located within unincorporated Cobb County to be used in the commission of drug crimes.

Section 83-7 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 83-7. - Nuisance abatement procedure.

- (a) *Appointment and designation of public officer.* Each of the following is hereby appointed and designated as a public officer with the authority to carry out the powers and duties of this article: the director of community development, the director of public safety, ~~the director of the county water system~~, and the director of the county board of health. Such appointment and designation shall include the designees of such persons.
- (b) *Complaint and investigation.* Whenever a request is filed with a public officer by a public authority or by at least five residents of the unincorporated area of the county charging that any property:
 - (1) Is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes;
 - (2) Is vacant and being used in connection with the commission of drug crimes; or

- (3) Constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions,

the public officer with whom the request is filed shall make an investigation or inspection of the specific property to determine if such conditions exist under applicable codes. The public officer shall have the authority to enter upon premises to conduct an inspection, provided such entry is made with the least possible inconvenience to the person(s) in possession. If such an inspection is necessary, the public officer shall endeavor to obtain the permission of the owner to conduct such inspection. If permission is withheld, the public officer may seek the assistance of the county attorney's office to obtain an inspection warrant from a court of competent jurisdiction. The public officer may determine under existing ordinances that a property is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of drug crimes; and/or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions. ~~upon~~ In making a finding of conditions on the property that are dangerous or injurious to the health, safety, or morals of the occupants, occupants of neighboring properties, or other residents of the county the public officer may consider the following conditions (without limiting the generality of the foregoing): defects therein increasing the hazards of fire, accidents, or other calamities; lack of adequate ventilation, light, or sanitary facilities; dilapidation; disrepair; structural defects; ~~defects causing or creating hazard of flooding, erosion, and contamination of water resources;~~ and uncleanness. The public officer may determine that the property is being used in the commission of drug crimes upon personal observation or report of a law enforcement agency.

...

ARTICLE II. – WEED CONTROL, OUTSIDE STORAGE AND JUNK VEHICLES

Section 83-9 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Section 83-9. – Weed control, outside storage, and junk vehicles.

It is found and declared that uncontrolled weed growth, outside storage, and junk vehicles 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.

Section 83-10 of the Official Code of Cobb County, Georgia is amended to read as follows:

Section 83-10. – Definitions.

As used in this article, the term:

...

Junk vehicle means a vehicle that is in an inoperative or junk condition, shall include but not be limited to any automobile, vehicle, mobile home, manufactured home or trailer of any kind or type, or contrivance or part thereof, the condition of which is one or more of the following:

- (1) Wrecked.
- (2) Dismantled.
- (3) Partially dismantled.
- (4) Inoperative.
- (5) Abandoned.
- (6) Discarded.
- (7) One which does not have a valid license plate and/or valid decal attached hereto.

...

Outside storage means the keeping, placing, or accumulation of any materials, equipment, merchandise, supplies, personal property, or other items outside of a completely enclosed building or structure overnight.

...

Weeds shall mean grass, jimson, burdock, ragweed, thistle, cocklebur, dandelion, invasive vines and any unrestricted vegetative growths.

...

Section 83-11 of the Official Code of Cobb County, Georgia is amended to read as follows:

Sec. 83-11. - Exemptions.

This section shall not apply to the following ~~described properties~~:

- (a) County, state or federal property or governmentally mandated easements, buffers, corridors, wetlands, detention ponds, dams, farms, natural or landscape areas, lakes, medians, etc., except where developed property fronts publicly-owned right-of-way;
- (b) Utility owned rights-of-way unless they are within a platted subdivision; or
- (c) Tracts of property (under single ownership) 40,000 square feet or larger unless they are within a platted subdivision;
- (d) Tracts of property (under single ownership) 40,000 square feet or larger unless buildings or structures are located within 75 feet of the public right-of-way, except where such property is used for agricultural or farm use.
- (e) Outside storage of lawn furnishings and firewood.
- (f) Outside storage on properties zoned Light Industrial, so long as the outside storage is setback a minimum of 35 feet from any public right-of-way.
- (g) Outside storage on properties zoned Heavy Industrial.
- (h) Junk vehicles that are in an enclosed building, or on the premises of a business enterprise operated in a lawful matter, when necessary to the operation of such business enterprise.

Section 83-12 of the Official Code of Cobb County, Georgia is amended to read as follows:

Section 83-12.-Prohibited.

- (a) It shall be unlawful for the owner of any property to permit weeds including but not limited to grass, jimson, burdock, ragweed, thistle, cocklebur, and dandelion to obtain a height exceeding 12 inches unless exempted as described in this section. It shall be unlawful for the owner of any property to permit invasive vines to extend onto or over an adjoining property. It shall be unlawful for the owner of any property, that contains an easement for utility right-of-way, lake, pond or other water impoundment, to permit weeds to obtain a height exceeding 12 inches on any portion of the property, unless exempted as described in this section. It shall be unlawful for the owner of any property 40,000 square feet or larger where buildings or structures are located within 75 feet of the public right-of-way to permit weeds to obtain a height exceeding 12 inches on any portion of the property between the building or structure and the right-of-way. Property owners of developed property shall be required to maintain the right-of-way from the property line to the street curb in this same manner. This requirement shall not be applied to undeveloped property or to portions of developed property where the intent is to leave the property in its natural state.
- (b) It shall be unlawful for the owner or occupant of any property to permit or allow any outside storage or any junk vehicle to be placed, maintained, stored, or allowed to remain upon such property, unless exempted as described in this section.

Section 83-13 of the Official Code of Cobb County, Georgia is amended to read as follows:

Section 83-13.-Notice to remove and hearing.

...

- (2) The required notice shall contain the following:

...

- (e) A requirement that the record owner of the property remedy the violation within 20 calendar days from the date of the notice, failing which the county will issue a citation to Magistrate Court ~~for property that has not been abandoned or is not vacant as defined in this section. If the property is vacant or abandoned as defined herein, t~~ The county will may remedy the condition and assess against the record title owner of the parcel of land all the costs thereof plus an administrative charge.

...

Section 83-14 of the Official Code of Cobb County, Georgia is amended to read as follows:

Section 83-14.-Removal by county.

If after 20 calendar days from the date of the notice no hearing has been requested, ~~no citation has been issued and the property has been determined to be vacant or abandoned~~ and the condition described in the notice has not been remedied, the code enforcement officer or his/her designee ~~shall~~ may cause the condition to be remedied by the county at the expense of the property owner. If a hearing has been held and has concluded adversely to the property

owner, the code enforcement officer or his/her designee may cause the condition to be remedied by the county at the expense of the property owner after 72 hours unless the board of zoning appeals directs otherwise.

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 86

Package I

Version I - distributed on September 4, 2026

Board of Commissioners Public Hearing Dates

October 13, 2026 – 9:00 a.m.

October 27, 2026 – 7:00 p.m.

Cobb County Community Development

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Chapter 86 – OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE I. – IN GENERAL

Section 86-2. of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Section 86-2. – Disorderly conduct.

- (a) No person shall remain, loiter or prowl in a place, at a time, or in a manner not usual for law abiding individuals under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity, after having been ordered to clear such place by the county police.
- (b) No person shall act in a violent or tumultuous manner toward another whereby any other person is placed in fear of safety of his life, limb or health, or whereby the property of another is placed in danger of being destroyed or damaged.
- (c) No person shall endanger the lawful pursuits of another by acts of violence, angry threats or abusive conduct.
- (d) No person shall cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another.
- (e) No person shall assemble or congregate with another or others for the purpose of causing, provoking or engaging in any fight or brawl.
- (f) No person shall jostle, roughly crowd or push any person in any public place.
- (g) No person shall use “fighting words,” or loud and boisterous language, directed towards another so as to create a breach of the peace potentially dangerous to the safety of persons or property.
- (h) No person shall congregate with another or others, or cause others to congregate, in or on any public way or place so as to halt to impede the flow of vehicular or pedestrian traffic after having been directed to clear such public way or place when ordered by the county police or where signs are placed that prohibit such activity.
- (i) No person shall enter upon the land or premises of another, or in or upon any vehicle, boat or aircraft owned by another, after having received notice from the owner, lawful occupier, lessee, tenant or any agent thereof, that entry is forbidden. If requested by the owner, lawful occupier, lessee, tenant or any agent thereof, of the land, premises, vehicle, boat or aircraft, a police officer may give such notice. Upon request, any occupier camping on private property must produce written approval of the owner, lawful occupier, lessee or tenant pursuant to Section 86-12.
- (j) No person shall throw bottles, paper, cans, glass, sticks stones, missiles or any other debris on public or private property.

The Official Code of Cobb County, Georgia, is amended by adding a section numbered 86-12, to read as follows:

Sec. 86-12. - Prohibited use of private property by unauthorized persons.

It shall be unlawful for anyone other than the owner of private property, a leaseholder of such private property, or other rightful occupant of such private property to camp, sleep, reside, store personal property, or lie upon any private property without the owner's or leaseholder's written permission which must be maintained by the requestor for display to law enforcement upon request. Any such use of private property authorized by and consented to by the owner, leaseholder, or other rightful occupant of such private property shall be in conformity with the provision of the Official Code of Cobb County, Georgia.

The Official Code of Cobb County, Georgia, is amended by adding a section numbered 86-13, to read as follows:

Sec. 86-13. - Building fires and camping in public places prohibited.

No person shall camp, sleep, reside, store personal property, or build, maintain, or use a fire other than in areas and in a manner specifically designed and designated for fire for camping or cooking purposes, in any county owned streets, public squares, public parks, or upon any other public property without written permission issued by the county which must be maintained by the requestor for display to law enforcement upon request. A person seeking such permission shall file an application with a public safety official designated by the county manager on forms provided by such officer. Any such use of public property authorized by and consented to by the county shall be in conformity with the provisions of the Code of Ordinances of Cobb County, Georgia.

Secs. 86-124 – 86-25. – Reserved.

The Official Code of Cobb County, Georgia, is amended by adding a new article, Unlawful Discrimination, to Chapter 86, Offenses and Miscellaneous Provisions, numbered Article V., Sec. 86-66 – 86-78, to read as follows:

ARTICLE V. - UNLAWFUL DISCRIMINATION

Sec. 86-66. - Purpose and intent.

It is the purpose and intent of the Cobb County to protect and safeguard the right and opportunity of all persons to be free from all forms of discrimination, including discrimination based on race, color, religion, national origin, sex, sexual orientation, gender, gender identity, homeless status, disability, marital status, familial status, veteran/military status or as a result of the person being 40 years of age or older. The board of commission's purpose in enacting this article is to promote the public health and welfare of all persons who live and work in Cobb County. It is important for the county to ensure that all persons within the county have equal access to employment, housing, and public accommodations.

Sec. 86-67. - Civil rights declared.

The right of an otherwise qualified person to be free from discrimination because of that person's actual or perceived race, color, religion, national origin, sex, sexual orientation, gender, gender identity, homeless status, disability, marital status, familial status, veteran/military status, or as a result of the person being 40 years of age or older is recognized as and declared to be a civil right. This right shall include, but not be limited to, all of the following:

(1) The right to obtain and hold employment and the benefits associated therewith without discrimination.

(2) The right to the full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement without discrimination.

(3) The right to be served or receive service at retail establishments without discrimination.

(4) The right to engage in property transactions, including obtaining housing for rental or sale and credit therefor, without discrimination.

(5) The right to exercise any right granted under this article without suffering coercion or retaliation.

Sec. 86-68. - Definitions.

For the purposes of this article, the following terms shall have the following meanings:

Business means any person or entity conducting business within the county, which is required to obtain a license or permit.

Discriminate, discrimination or discriminatory means any act, policy or practice that, intentionally subjects any person to differential negative treatment as a result of that person's actual or perceived race, color, religion, national origin, sex, sexual orientation, gender, gender identity, homeless status, disability, marital status, familial status, veteran/military status or as a result of the person being 40 years of age or older.

Employee means any individual employed by or seeking employment from an employer, excluding any individual employed by his or her parents, spouse, or child.

Employer means a person who employs one or more employees in the county, or any agent of such person.

Gender identity means the actual or perceived gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.

Initial conciliator means an individual appointed by the board of commissioners who is a competent attorney at law in good standing with the state bar association with training and experience in the area of constitutional law and employment discrimination. This person shall serve at the pleasure of the board of commissioners.

Marital status means an individual's past, current, or prospective status as single, married, domestically partnered, in a civil union, divorced, or widowed.

National origin means an individual's, or an individual's ancestor's, place of origin.

Place of public resort, accommodation, assemblage, or amusement means any place, store, or other establishment, either licensed or unlicensed, that supplies accommodations, goods, or services to the general public, or that solicits or accepts the patronage or trade of the general public, or that is supported directly or indirectly by government funds.

Religion means all aspects of religious belief, observance, and practice.

Religious organization means an entity which conducts regular worship services or is qualified as a religious organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, that is not required to file IRS Form 990, return of Organization Exempt from Income Tax, under any circumstances.

Respondent means the person or business alleged to have violated this article.

Sexual orientation means homosexuality, heterosexuality, or bisexuality.

Veteran/military status means an individual's status as one who serves or served in the uniformed services, military, naval or air service, and who was discharged or released under conditions other than dishonorable.

Sec. 86-69. - Discrimination prohibited.

No person, business or entity shall, within a place of public resort, accommodation, assemblage or amusement, discriminate or engage in discrimination or discriminatory activities.

Sec. 86-70. - Interference with declared civil rights prohibited.

No person, business or entity shall intentionally engage in any act, policy or practice that negatively interferes with any of the civil rights declared in section 86-67 of this article.

Sec. 86-71. - Penalty.

Upon conviction, violators of this article shall be subject to a maximum fine of \$1,000.00.

Sec. 86-72. - Exceptions.

Notwithstanding the foregoing, the following are not discriminatory practices prohibited by this article:

(1) A religious organization that engages an individual to perform work connected with the performance of religious activities.

(2) Public or private schools operating within all applicable provisions of the Federal Civil Rights Act and the Americans with Disabilities Act, and acting pursuant to their established charters, rules, policies, guidelines or religious tenets, to the extent such acts are protected by the United States Constitution or any other federal law.

(3) An employer or business that observes the conditions of a bona fide affirmative action plan or a bona fide seniority system which is not a pretext to evade the purposes of this article.

(4) An employer or business that refuses to hire personnel that in its sole but reasonable discretion it deems to be unqualified for the position.

(5) An employer or business requiring an employee, during the employee's hours at work, to adhere to dress or grooming standards, deemed appropriate by the employer in its sole but reasonable discretion.

(6) A private club or other enterprise not open to the public, limiting the services or amenities that it provides to its members or from giving preference to its members.

Sec. 86-73. - Exemptions.

Nothing in this article shall:

(1) Require any individual, business, club, institution, or membership organization to take action in violation of the associational rights granted by the Constitutions of the United States and the State of Georgia.

(2) Be construed to prevent children's clubs, institutions or membership organizations from restricting non-commercial accommodations, advantages, facilities, membership, and privileges to persons of the same sex, if such sex restriction is fundamental to the nature or purpose of the club, institution, or membership organization.

(3) Be construed to prohibit treating disabled persons more favorably than non-disabled persons or to prohibit treating senior citizens more favorably than non-senior citizens.

(4) Be construed to prohibit offering discounts, special prices, or other special arrangements to children or families.

(5) Be construed to prohibit imposing age limits up to 21.

(6) Prohibit a religious organization from limiting its non-commercial accommodations, advantages, facilities, membership, and privileges to persons of the same religion.

Sec. 86-74. - Physical changes to property.

This article shall not require anyone to make physical changes to any property that would not otherwise be legally required to be made.

Sec. 86-75. - Enforcement.

Prior to formal prosecution and subject to procedures developed by Cobb County and initial conciliator, the county shall receive and review, and seek to conciliate, if necessary, complaints alleging violations of this article.

(1) Any person aggrieved by a potential violation of this article may file a complaint with the county clerk on a form to be provided by the county. Any such complaint must be filed within 90 calendar days after the alleged act of discrimination. A filing fee of \$50.00 shall be paid by the complainant at the time of filing. This fee may be waived by a showing of indigency according to the guidelines for indigency established by the initial conciliator.

(2) The county clerk shall cause a copy of the complaint to be forwarded to the initial conciliator and the respondent within three business days of receipt of properly filed complaint, via hand delivery or electronic mail. The respondent shall have ten business days to file an answer with the county clerk, if desired. The initial conciliator shall be a competent attorney at law of good standing in his/her profession and have experience in the area of constitutional law and employment discrimination.

(3) The initial conciliator shall review the complaint and answer, if any, to determine if the complaint is in conformity with the requirements of this article or demonstrates facts sufficient to invoke jurisdiction as set forth in this article. Should the initial conciliator determine that the complaint does not meet the requirements of this article, or is facially frivolous, or is based upon facts insufficient to invoke the jurisdiction as set forth in this article, he/she may dismiss the complaint, however the reasons for dismissal must be specified in a written report from the initial conciliator.

(4) Upon determination that the complaint should not be dismissed, the initial conciliator shall promptly attempt to negotiate a conciliatory resolution of the complaint and shall schedule a conference attempting to reconcile the dispute. The complaining party and respondent shall be given written notice of the location, time and date of the conference at least 15 days in advance of the scheduled time. The initial conciliator shall have the discretion to reschedule the conference once upon the request of either party. Any conference hereunder shall be conducted in accordance with the procedures to be established by Cobb County and the initial conciliator.

(5) The case shall be dismissed should the complainant not attend or refuse to participate in the conference.

(6) If the matter is settled during the conference, within three business days of the date of the conference, the initial conciliator shall draft and send to the complainant and the respondent via email, a written settlement agreement setting forth all agreed upon terms.

(6) If, within ten business days of the conclusion of conference, the complaining party notifies the initial conciliator in writing that he or she is dissatisfied with the results, or if the respondent does not participate in the conference, the initial conciliator shall refer the matter to the magistrate court to go through the standard process for prosecuting alleged ordinance violations.

Sec. 86-76. - Other remedies.

This article may not be construed to limit any other remedies available under local, state, or federal law.

Sec. 86-77. - No private claim created.

This article does not create a private right of action.

Sec. 86-78. - Severability.

If any portion of this article is held to be invalid by a court, it is the intention of the board of commissioners that the remainder of this article shall remain in full force and effect.

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 106

Package I
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Board of Commissioners Public Hearing Dates
October 13, 2026 – 9:00 a.m.
October 27, 2026 – 6:00 p.m.

Cobb County Community Development
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Marietta, GA 30061
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Cobb County...Expect the Best!

Chapter 106 – STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES

ARTICLE II. – STREET LIGHTING

Section 106-50 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Section 106-50. – Responsibility for Costs.

- (a) For purposes of subsections (b) and (c) of this section, the term "lot" is hereby defined as a lot or parcel of land which is developed and served by a utility provider which will bill and collect for the street light service on behalf of the county.
- (b) The cost of providing and maintaining street light service in existing street light districts and in street light districts hereafter created shall be borne by the lot residents or owners within the street light districts who are billed for utility services provided to the lots by utility providers who, by agreement with the county, will bill for street light service. The charge therefore shall be determined by the department, approved by the board, reviewed in accordance with the schedule set forth in adopted policies and procedures, and made available upon request. In the event the county is billed by the power company for repairs, the county may prorate those repair bills and add a pro rata share of those bills to the charge.
- (c) In those districts in existence as of the date of adoption of the original ordinance from which this article is derived (February 27, 1979), or which may hereafter be created, in which there are costs related to initial construction and installation of poles, fixtures, wiring, etc., and such costs are paid by the county to the power or utility company or other entity, shall be reimbursed by the lot residents or owners within the street light district. Reimbursement shall be made through the assessment of a monthly installation surcharge determined by the department, approved by the board, reviewed in accordance with any schedule set forth in adopted policies and procedures, and made available to anyone upon request.
- (d) Additionally, notwithstanding any provisions to the contrary, when a street light district is created within a CID, the cost of providing and maintaining the street light service in the street light district shall be determined by agreement between the CID and the county. The charge(s) associated with the lighting shall be determined by the department and approved by the board and shall be made available upon request. In the event the county is billed by the power company for repairs, the county may recoup those costs by adding those costs to the charge(s).
- (e) A single lot can be part of multiple street light districts that serve different lighting purposes such as interstate, arterial, CID, or legacy street light districts. A lot can be charged for multiple district types but not more than once per month for the same type. Also, a lot cannot be charged both a CID lighting fee and a legacy street light district fee simultaneously.

ARTICLE V. – PEDESTRIAN LIGHTING DISTRICTS

Section 106-168 of the Official Code of Cobb County, Georgia, is amended, to read as follows:

Section 106-168. – Installation and operation standards adopted; exceptions.

In order to ensure adequate illumination of public rights-of-way and to promote safety and security, the American National Standard Practice for Roadway Lighting of the Illuminating Engineering Society, as approved by the American National Standards Institute (1983), as from time to time amended, is hereby adopted as the standard for the installation and operation of lighting in the unincorporated areas of the county, with the following exceptions:

- (1) The minimum average horizontal illumination level in Lux shall be ten for lighting fixtures installed within the public rights-of-way to be operated for the purpose of sidewalk, trail and pathway illumination. The uniformity of illumination shall be such that the point of lowest illumination shall have at least one-third of the average horizontal Lux required illumination level.
- (2) All fixtures used for the illumination of sidewalks, trails, and pathways shall have a minimum mounting height of 15 feet, with the exception of shorter fixtures by design, such as bollards. Fixtures shall meet utility grade standards.
- (3) Any party requesting permission to install or operate lighting fixtures within public rights-of-way shall furnish plans and specifications to the director for approval showing how the proposed lighting meets the standards, and no lighting shall be installed or operated without this approval. Should the director disapprove the request to install or operate lighting fixtures within any public right-of-way, he shall communicate the disapproval in writing to the party requesting approval. The written communication shall include the specific reasons for disapproval. Any disapproval of a light or lighting system by the director may be appealed to the board. If any party desires to appeal an adverse decision by the director, a notice of appeal shall be filed with the director within 30 days from the date following the written notice of disapproval. It shall be the responsibility of the Director to transmit forthwith to the board all papers and associated documents constituting the record upon which the action appealed from was taken, and to ensure that the appeal is promptly placed upon the agenda of the board for its determination. The board may reverse or affirm, wholly or partly, or may modify, the order, requirement, decision or determination appealed from.

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 118

Package I

Version I - distributed on September 4, 2026

Board of Commissioners Public Hearing Dates

October 13, 2026 – 9:00 a.m.

October 27, 2026 – 6:00 p.m.

Cobb County Community Development
P.O. Box 649
Marietta, GA 30061
www.cobbcounty.gov



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Chapter 118 – TRAFFIC AND VEHICLES

ARTICLE IV – STOPPING, STANDING AND PARKING

DIVISION 1. - GENERALLY

Sec. 118-145 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 118-145. - Parking prohibited on narrow streets.

- (a) The traffic engineer is hereby authorized to erect, upon approval of the board of commissioners, signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one or both sides of a street ~~as indicated by such signs~~ when the width of the roadway does not exceed 30 feet.
- (b) When official signs prohibiting parking are erected upon narrow streets as authorized in this section, no person shall park a vehicle upon any such street in violation of any such sign.

2026 CODE AMENDMENTS

Official Code of Cobb County Part I. – Chapter 134

Package I

Version I - distributed on September 4, 2026

Planning Commission Public Hearing Date
October 6, 2026 – 9:00 a.m.

Board of Commissioners Public Hearing Dates
October 13, 2026 – 9:00 a.m.
October 27, 2026– 7:00 p.m.

Cobb County Community Development
P.O. Box 649
Marietta, GA 30061
www.cobbcounty.gov



Cobb County...Expect the Best!

Chapter 134 – ZONING

ARTICLE I. – IN GENERAL

Section 134-1 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-1. – Definitions.

...

Accessory dwelling unit (ADU) means an independent residential dwelling unit subordinate to the principal single-family dwelling unit on the same lot. An accessory dwelling unit may be either attached to or detached from the principal single-family dwelling unit.

...

Data center means a facility containing one or more large scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, and enhanced security features. This definition shall apply to facilities exceeding 30,000 gross square feet and/or consuming more than three mega-watts of power.

...

Family means two or more persons related by blood, legal adoption or guardianship, or marriage, occupying a dwelling. ~~Related means persons are all related to each other within the fourth degree, as defined in O.C.G.A. § 53-2-1, which includes parents, children, grandparents, grandchildren, brothers and sisters.~~ State of Georgia authorized foster children of a family member shall also be deemed a member of the family for this purpose. A child or children and any parent(s) and/or guardian(s) of that child or children shall also be considered a family.

...

Single-family dwelling unit. A single-family dwelling unit consists of one or more rooms which are arranged, designed or used as living quarters for one family including up to ~~one~~ three unrelated ~~adult~~ adults, or ~~two~~ four or fewer unrelated adults and their children and/or grandchildren.

- (1) A single-family dwelling unit shall have an interior bathroom and complete kitchen facilities, permanently installed. All rooms in a dwelling unit shall be accessed through the common front door.
- (2) A single-family dwelling unit shall have at least 390 square feet of living building square footage (as determined and maintained in the records of the Cobb County Tax Assessor) per each adult occupant.

- (3) No more than one vehicle per 390 square feet of living building square footage may be parked regularly overnight on the property upon which the single-family dwelling unit exists. Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of ~~four~~ five or less (of the total) parked outside of a garage, carport or the like for properties zoned PRD, OSC, RA-5, R-15, R-20, and R-30. Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of five or less (of the total) parked outside of a garage, carport or the like for properties zoned R-40, R-80, and RR. Other zoning districts used for single family dwelling units shall have no more than ~~four~~ five vehicles parked outside. This includes vehicles parked within the right-of-way adjacent to a dwelling unit. "Regularly" means a majority of days in any seven-day period.

ARTICLE II. – ADMINISTRATION AND ENFORCEMENT

DIVISION 1. – GENERALLY

Section 134-37 of the Official Code of Cobb County, Georgia, is amended to read as follows:

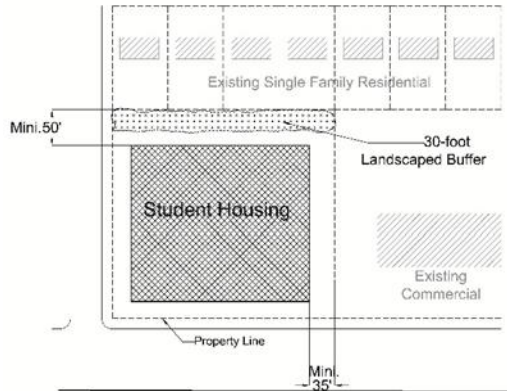
Sec. 134-37. –Special land use permits.

...

(34) *Purpose built student housing*

- a. Sites shall be located in areas under the regional activity center (RAC) future land use designation.
- b. Sites are required to have principal access from an arterial, commercial local road, or ~~major~~ collector roadway, as identified on the Cobb County Roadway Functional Classification Plan.
- c. ~~Density shall be calculated using equivalent apartment units rather than the actual number of units. There shall be 0.5 equivalent apartment units per bedroom. The~~ density of purpose-built student housing shall be calculated based on the number of bedrooms in the purpose-built student housing development, with two bedrooms equal to one dwelling unit. No portion of floodplain, wetland area, or impervious community area (such as pools, clubhouses, tennis courts, and parking facilities) may be used in calculating density. Maximum density is 60 units per acre.
- d. ~~Sites shall be designed to accommodate on-site parking for at least one vehicle for each unit, based on the equivalency calculation listed above in item (c). Parking may be reduced to 0.75 paved parking spaces per unit if the project is located within a tenth of a mile from a public transit stop, has direct bus service to the college or university, or is located within one-quarter mile of the college or university campus. Additional parking shall be provided for visitors. Accommodation for rideshare pick up/drop off shall also be provided. Off-street parking and loading facilities shall be provided in accordance with a ratio of one parking space per two bedrooms, and the following:~~

- i. The amount of required parking shall be reduced by 25 percent if the project is located within a tenth of a mile from a public transit stop, has direct bus service to the college or university, or is located within one-quarter mile of the college or university.
- ii. Accommodations for rideshare and delivery pick up and drop off shall be provided.
- e. Traffic impact study required per section 134-121(a)(8). Traffic counts shall be within the last three years and performed while school is in session.
- f. Sites shall be designed with lighting that does not spill over into abutting properties and is the minimum to provide security for residents of multi-family housing developments.
- g. Buildings and sites shall be designed to minimize the transfer of noise by the use of noise absorbing/blocking material such as rough surface building facades, site fencing and vegetation.
- h. Minimum tract size is four acres.
- i. Maximum building height is 55 feet. When adjacent to single-family residential zoning districts, maximum building height is 35 feet.
- j. Maximum impervious surface coverage: 70 percent. For zoning districts in which the maximum coverage is less than 70 percent, the maximum per the zoning district shall prevail.
- ~~k. No portion of floodplain, wetland area, or impervious community area (pools, clubhouses, tennis courts and parking facilities) may be used in calculating density.~~
- k. To enhance building/site security, applicants shall coordinate with ~~local law enforcement~~ Cobb County Police to develop a security plan in accordance with the standards of crime prevention through environmental design (CPTED). Security plan shall be reviewed and updated annually with Cobb County Police. Documentation of the annual review shall be submitted to the business license division upon application for renewal of the occupation tax certificate. Cobb County Police shall be provided with access to all gates and secured entrances. Security cameras shall be registered/viewable with Cobb County Police.
- l. A 30-foot landscaped buffer shall be provided on any exterior property line that abuts existing single-family residential uses. The buffer shall be natural, but may need to be enhanced with additional landscaping to provide sufficient screening between the new development and the existing neighborhood. Privacy fencing shall be required on a case-by-case basis.



- m. When abutting residential uses, structures associated with the use shall be located a minimum of 50 feet from the property line. When abutting commercial uses, structures associated with the use shall be located a minimum of 35 feet from the property line.
- n. Floodplain and wetlands preservation requirements. Any development must meet all county, state and federal requirements relating to floodplains and wetlands. The board of commissioners encourages preservation of wetland areas.
- o. On-site management shall be required, ~~24 hours per day, seven days per week.~~ provided at all times.
- p. A transportation and shuttle agreement shall be coordinated with Kennesaw State University (if amenable) and shall be filed with Cobb County Community Development prior to land development permit issuance.

(35)

Accessory dwelling units (ADU).

- a. ADU shall not exceed 50% of the gross square footage of the primary single-family dwelling unit or 850 square feet.
- b. ADU shall be no more than one-story in height, not to exceed the height of the primary single-family dwelling unit.
- c. A minimum of one off-street parking spot shall be provided for the ADU.
- d. ADU shall be connected to the utilities meters of the primary structure.
- e. ADU shall be located only in the rear yard, and shall adhere to the side and rear yard setback of the primary structure.
- f. Maximum impervious surface coverage for the lot shall not exceed the zoning district limitation.
- g. ADU must adhere to all other standards for accessory structures in the zoning district.
- h. There shall be no more than one ADU per single-family lot.
- i. ADU shall not be utilized as a short-term rental property.
- j. The owner(s) of the property shall reside in either the primary single family-dwelling unit or the ADU.
- k. Property owner(s) shall sign an affidavit stating that the ADU is not in conflict with any applicable covenants, conditions, deed restrictions, or bylaws.

(36)

Data center

- a. All power used by a data center must be generated offsite, unless provided by emergency power generators and other emergency power supply equipment that may only be used if electricity service from the offsite source is interrupted.
- b. Emergency power generators and other emergency power supply equipment may only be activated for testing purposes, weekdays between 10 am and 4 pm.
- c. Building design. All buildings on the site shall be limited in their exterior color or finish to earth tones, such as beiges, tans, greens, browns, and similar on all exterior elevations. The exterior façade of the building to be approved by the Board of Commissioners.
- d. The maximum Floor Area Ratio (FAR) shall be 0.75.
- e. The minimum lot size for this use is 5 acres, and the maximum lot size for this use is 30 acres.
- f. Height regulations. Buildings shall not exceed a height of 50 feet, measured from structure pad level. Height limitations shall apply to accessory structures such as water towers, conveyer belts, HVAC equipment, generators and other incidental and uninhabited parts of the structure. Height of all structure to be approved by the Board of Commissioners as part of a Special Land Use Permit approval.
- g. Minimum building setbacks for any property line adjacent to residential properties, schools, daycares, churches or parks shall be three hundred (300) feet for principal data center buildings. Otherwise, fifty (50) feet minimum from all property lines adjacent to nonresidential properties. The stated setbacks will also apply to any equipment for cooling, ventilating, or otherwise operating the facility, including any power generator or other power supply equipment.
- h. Parking. The applicant shall set aside land area to accommodate 1 space per 2,000 square feet of gross floor area (GFA). However, the actual number of parking spaces constructed shall be determined based on the submittal of a parking analysis by the applicant to be reviewed and approved by the Community Development Director.
- i. Noise generated by any equipment, operations, or activities associated with a data center, including but not limited to cooling systems and emergency backup generators, shall not exceed 65 dB(A) during daytime hours (7: 00 a.m.- 11: 00 p.m.) or 55 dB(A) during nighttime hours(11: 00 p.m.7:00 a.m.), as measured at the property line where the site adjoins residentially used and/or zoned property.
- j. Buffers. Where adjacent to a property zoned for residential use, church use, school or daycare use or park, a minimum 200-foot-wide natural buffer shall be required to be approved by the Board of Commissioners. There shall be a 100-buffer adjacent to all other uses. Detention ponds are not permitted in the buffer area. Any utilities crossing the buffer must do so at a 90-degree angle.
- k. Site lighting. All exterior site and building lighting shall utilize full cutoff, fully shielded (zero up light) fixtures designed to maintain the existing night sky darkness and to prevent light trespass onto adjacent properties and streets. Light fixtures shall be located at least four (4) times the mounting height of the fixture away from adjacent property lines. The mounting height of all site lighting shall not exceed twenty (20) feet above finished grade. At any property line abutting a

residential use, the lighting shall not exceed 0.05 footcandles measured at ground level.

- l. Fencing. Fencing of the property is required to enclose the data center facility. If the fencing is located along the property line, it shall be decorative metal and a minimum of eight (8) feet in height. Anti-climb features including but not limited to barbed, concertina, razor, or similar uses shall be prohibited. If the fencing is located within the buffer and not visible from adjacent properties or roadways, it may be constructed of vinyl-coated chain-link and may include anti-climb features.
- m. A decommissioning bond approved by the County Attorney shall be required prior to the issuance of a certificate of occupancy for all data centers in an amount to return the site back to its predevelopment condition as determined by an independent, third-party professional engineer licensed in the state of Georgia.
- n. Water infrastructure:
 - i. The developer shall complete an analysis by a certified design professional to be furnished and approved by the Cobb County Water System indicating the peak water demand and the adequacy of the water supply for the project.
 - ii. Cobb County Water System shall confirm wastewater treatment and collection system capacity.
 - iii. All data centers shall use a closed loop cooling system, with no cooling water discharged into the county wastewater system, except for routine maintenance.
 - iv. Data centers shall pay 100% cost of any infrastructure improvements needed to serve the facility.
 - v. Facilities may be subject to Industrial Pretreatment standards and permitting as defined in Chapter 122, Article II of the Cobb County Code of Ordinances. This requirement to be determined by the Cobb County Water System prior to issuance of a land disturbance permit.

...

ARTICLE IV. – DISTRICT REGULATIONS

Section 134-192 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-192. – Summary of uses.

...

Type of use	OHR	OS	NS	PSC	TS	GC	RRC	IF	LI	HI
<u>Data Center</u>									<u>SLUP</u>	<u>SLUP</u>

...

Section 134-193 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-193. – R-80 single-family residential district.

...

(12) *Accessory buildings, structures, uses and decks.*

- a. Size and setback limitations: Any accessory building, structure, use and deck up to 144 total gross square feet must be located at least five feet off the property line and limited to 15 feet in height subject to the development conditions list below (except for 15-foot height restriction). Any accessory building, structure, use and deck over 144 total gross square feet and up to 650 total gross square feet shall be limited to the building setbacks of the lot it is located on and is subject to the development conditions below. Any accessory building, structure, use and deck over 650 total gross square feet must be at least 100 feet from any property line and is subject to the development conditions below.
- b. Accessory buildings, structures, uses and decks shall be subject to the following development conditions:
 1. Maximum height is two stories or 35 feet.
 2. Buildings or structures shall have the meaning as defined in [section 134-1](#). Accessory structures and uses shall also include Jacuzzis, tennis courts, basketball courts, swimming pools (private), playhouses and playgrounds. When calculating square footage for ground level uses such as tennis courts, basketball courts and above ground swimming pools and the like, the footprint shall be used in calculating total gross square feet.
 3. All accessory buildings, structures, uses and decks shall be located to the rear of the principal building, except for heating and air conditioning units or garbage pads, which may be located on the side of the primary structure and located within two feet of the primary structure.
 4. The rear of the primary structure shall be where the main portion of the building ends without consideration of wings.
 5. Architectural style and design are to be approved by the division manager of zoning or his designee, and are to be complimentary to the primary structure.
 6. Such structures or buildings shall be located on the same lot as and to the rear of the primary structure to which they are accessory. Uncovered decks that are attached to the primary structure may be located to the rear or side of the principal building. Covered decks, covered patios, and covered steps shall adhere to the building setbacks of the primary structure.
 7. No accessory building, structure, use or deck shall be constructed upon a lot until construction of the principal building has commenced.
 8. On a corner lot, no accessory building, structure, use or deck shall be located closer to the side street right-of-way line than the principal building.
 9. If the garage, accessory building, structure, use or deck is attached to the primary structure by a breezeway it shall be located up to a maximum of 25 feet from the primary structure to which it is attached. The breezeway may be enclosed or open.

- ~~10. When an accessory building is intended to be habitable it shall be attached to the principal structure by a fully enclosed heated/cooled hallway and it shall comply with the yard requirements of the principal building to which it is accessory. The accessory building, structure or use shall be located up to a maximum of 25 feet from the primary structure to which it is attached.~~
10. All accessory buildings, structures and uses in excess of 650 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 zoning division manager, or their designees.
11. The primary structure in a residential district shall be the principal house on the lot.

...

Section 134-194 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-194. – RR rural residential district.

...

- (13) *Accessory buildings, structures, uses and decks.*
- a. Size and setback limitations: Any accessory building, structure, use and deck up to 144 total gross square feet must be located at least five feet off the property line and limited to 15 feet in height subject to the development conditions list below (except for 15-foot height restriction). Any accessory building, structure, use and deck over 144 total gross square feet and up to 650 total gross square feet shall be limited to the building setbacks of the lot it is located on and is subject to the development conditions below. Any accessory building, structure, use and deck over 650 total gross square feet must be at least 100 feet from any property line and is subject to the development conditions below.
- b. Accessory buildings, structures, uses and decks shall be subject to the following development conditions:
1. Maximum height is two stories or 35 feet.
 2. Buildings or structures shall have the meaning as defined in [section 134-1](#). Accessory structures and uses shall also include Jacuzzis, tennis courts, basketball courts, swimming pools (private), playhouses and playgrounds. When calculating square footage for ground level uses such as tennis courts, basketball courts and above ground swimming pools and the like, the footprint shall be used in calculating total gross square feet.
 3. All accessory buildings, structures, uses and decks shall be located to the rear of the principal building, except for heating and air conditioning units or garbage pads, which may be located on the side of the primary structure and located within two feet of the primary structure.
 4. The rear of the primary structure shall be where the main portion of the building ends without consideration of wings.

5. Architectural style and design are to be approved by the division manager of zoning or his designee, and are to be complimentary to the primary structure.
6. Such structures or buildings shall be located on the same lot as and to the rear of the primary structure to which they are accessory. Uncovered decks that are attached to the primary structure may be located to the rear or side of the principal building. Covered decks, covered patios, and covered steps shall adhere to the building setbacks of the primary structure.
7. No accessory building, structure, use or deck shall be constructed upon a lot until construction of the principal building has commenced.
8. On a corner lot, no accessory building, structure, use or deck shall be located closer to the side street right-of-way line than the principal building.
9. If the garage, accessory building, structure, use or deck is attached to the primary structure by a breezeway it shall be located up to a maximum of 25 feet from the primary structure to which it is attached. The breezeway may be enclosed or open.
- ~~10. When an accessory building is intended to be habitable it shall be attached to the principal structure by a fully enclosed heated/cooled hallway and it shall comply with the yard requirements of the principal building to which it is accessory. The accessory building, structure or use shall be located up to a maximum of 25 feet from the primary structure to which it is attached.~~
10. All accessory buildings, structures and uses in excess of 650 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 zoning division manager, or their designees.
11. The primary structure in a residential district shall be the principal house on the lot.

...

Section 134-195 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-195. – R-40 single-family residential district.

...

- (12) *Accessory buildings, structures, uses and decks.*
 - a. Size and setback limitations: Any accessory building, structure, use and deck up to 144 total gross square feet must be located at least five feet off the property line and limited to 15 feet in height subject to the development conditions list below (except for 15-foot height restriction). Any accessory building, structure, use and deck over 144 total gross square feet and up to 650 total gross square feet shall be limited to the building setbacks of the lot it is located on and is subject to the development conditions below. Any accessory building, structure, use and deck over 650 total gross square feet must be at least 100 feet from any property line and is subject to the development conditions below.

- b. Accessory buildings, structures, uses and decks shall be subject to the following development conditions:
1. Maximum height is two stories or 35 feet.
 2. Buildings or structures shall have the meaning as defined in [section 134-1](#). Accessory structures and uses shall also include Jacuzzis, tennis courts, basketball courts, swimming pools (private), playhouses and playgrounds. When calculating square footage for ground level uses such as tennis courts, basketball courts and above ground swimming pools and the like, the footprint shall be used in calculating total gross square feet.
 3. All accessory buildings, structures, uses and decks shall be located to the rear of the principal building, except for heating and air conditioning units or garbage pads, which may be located on the side of the primary structure and located within two feet of the primary structure.
 4. The rear of the primary structure shall be where the main portion of the building ends without consideration of wings.
 5. Architectural style and design are to be approved by the division manager of zoning or his designee, and are to be complimentary to the primary structure.
 6. Such structures or buildings shall be located on the same lot as and to the rear of the primary structure to which they are accessory. Uncovered decks that are attached to the primary structure may be located to the rear or side of the principal building. Covered decks, covered patios, and covered steps shall adhere to the building setbacks of the primary structure.
 7. No accessory building, structure, use or deck shall be constructed upon a lot until construction of the principal building has commenced.
 8. On a corner lot, no accessory building, structure, use or deck shall be located closer to the side street right-of-way line than the principal building.
 9. If the garage, accessory building, structure, use or deck is attached to the primary structure by a breezeway it shall be located up to a maximum of 25 feet from the primary structure to which it is attached. The breezeway may be enclosed or open.
 - ~~10. When an accessory building is intended to be habitable it shall be attached to the principal structure by a fully enclosed heated/cooled hallway and it shall comply with the yard requirements of the principal building to which it is accessory. The accessory building, structure or use shall be located up to a maximum of 25 feet from the primary structure to which it is attached.~~
 10. All accessory buildings, structures and uses in excess of 650 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 zoning division manager, or their designees.
 11. The primary structure in a residential district shall be the principal house on the lot.

...

Section 134-196 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-196. – R-30 single-family residential district.

...

(12) *Accessory buildings, structures, uses and decks.*

- a. Size and setback limitations: Any accessory building, structure, use and deck up to 144 total gross square feet must be located at least five feet off the property line and limited to 15 feet in height subject to the development conditions list below (except for 15-foot height restriction). Any accessory building, structure, use and deck over 144 total gross square feet and up to 650 total gross square feet shall be limited to the building setbacks of the lot it is located on and is subject to the development conditions below. Any accessory building, structure, use and deck over 650 total gross square feet must be at least 100 feet from any property line and is subject to the development conditions below.
- b. Accessory buildings, structures, uses and decks shall be subject to the following development conditions:
 1. Maximum height is two stories or 35 feet.
 2. Buildings or structures shall have the meaning as defined in [section 134-1](#). Accessory structures and uses shall also include Jacuzzis, tennis courts, basketball courts, swimming pools (private), playhouses and playgrounds. When calculating square footage for ground level uses such as tennis courts, basketball courts and above ground swimming pools and the like, the footprint shall be used in calculating total gross square feet.
 3. All accessory buildings, structures, uses and decks shall be located to the rear of the principal building, except for heating and air conditioning units or garbage pads, which may be located on the side of the primary structure and located within two feet of the primary structure.
 4. The rear of the primary structure shall be where the main portion of the building ends without consideration of wings.
 5. Architectural style and design are to be approved by the division manager of zoning or his designee, and are to be complimentary to the primary structure.
 6. Such structures or buildings shall be located on the same lot as and to the rear of the primary structure to which they are accessory. Uncovered decks that are attached to the primary structure may be located to the rear or side of the principal building. Covered decks, covered patios, and covered steps shall adhere to the building setbacks of the primary structure.
 7. No accessory building, structure, use or deck shall be constructed upon a lot until construction of the principal building has commenced.
 8. On a corner lot, no accessory building, structure, use or deck shall be located closer to the side street right-of-way line than the principal building.

9. If the garage, accessory building, structure, use or deck is attached to the primary structure by a breezeway it shall be located up to a maximum of 25 feet from the primary structure to which it is attached. The breezeway may be enclosed or open.
- ~~10. When an accessory building is intended to be habitable it shall be attached to the principal structure by a fully enclosed heated/cooled hallway and it shall comply with the yard requirements of the principal building to which it is accessory. The accessory building, structure or use shall be located up to a maximum of 25 feet from the primary structure to which it is attached.~~
10. All accessory buildings, structures and uses in excess of 650 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 zoning division manager, or their designees.
11. The primary structure in a residential district shall be the principal house on the lot.

...

Section 134-197 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-197. – R-20 single-family residential district.

...

- (12) *Accessory buildings, structures, uses and decks.*
 - a. Size and setback limitations: Any accessory building, structure, use and deck up to 144 total gross square feet must be located at least five feet off the property line and limited to 15 feet in height subject to the development conditions list below (except for 15-foot height restriction). Any accessory building, structure, use and deck over 144 total gross square feet and up to 650 total gross square feet shall be limited to the building setbacks of the lot it is located on and is subject to the development conditions below. Any accessory building, structure, use and deck over 650 total gross square feet must be at least 100 feet from any property line and is subject to the development conditions below.
 - b. Accessory buildings, structures, uses and decks shall be subject to the following development conditions:
 1. Maximum height is two stories or 35 feet.
 2. Buildings or structures shall have the meaning as defined in [section 134-1](#). Accessory structures and uses shall also include Jacuzzis, tennis courts, basketball courts, swimming pools (private), playhouses and playgrounds. When calculating square footage for ground level uses such as tennis courts, basketball courts and above ground swimming pools and the like, the footprint shall be used in calculating total gross square feet.
 3. All accessory buildings, structures, uses and decks shall be located to the rear of the principal building, except for heating and air conditioning units or garbage pads, which may be located on the side of the primary structure and located within two feet of the primary structure.

4. The rear of the primary structure shall be where the main portion of the building ends without consideration of wings.
5. Architectural style and design are to be approved by the division manager of zoning or his designee, and are to be complimentary to the primary structure.
6. Such structures or buildings shall be located on the same lot as and to the rear of the primary structure to which they are accessory. Uncovered decks that are attached to the primary structure may be located to the rear or side of the principal building. Covered decks, covered patios, and covered steps shall adhere to the building setbacks of the primary structure.
7. No accessory building, structure, use or deck shall be constructed upon a lot until construction of the principal building has commenced.
8. On a corner lot, no accessory building, structure, use or deck shall be located closer to the side street right-of-way line than the principal building.
9. If the garage, accessory building, structure, use or deck is attached to the primary structure by a breezeway it shall be located up to a maximum of 25 feet from the primary structure to which it is attached. The breezeway may be enclosed or open.
10. ~~When an accessory building is intended to be habitable it shall be attached to the principal structure by a fully enclosed heated/cooled hallway and it shall comply with the yard requirements of the principal building to which it is accessory. The accessory building, structure or use shall be located up to a maximum of 25 feet from the primary structure to which it is attached.~~
10. All accessory buildings, structures and uses in excess of 650 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 zoning division manager, or their designees.
11. The primary structure in a residential district shall be the principal house on the lot.

...

Section 134-198 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-198. – R-15 single-family residential district.

...

- (12) *Accessory buildings, structures, uses and decks.*
 - a. Size and setback limitations: Any accessory building, structure, use and deck up to 144 total gross square feet must be located at least five feet off the property line and limited to 15 feet in height subject to the development conditions list below (except for 15-foot height restriction). Any accessory building, structure, use and deck over 144 total gross square feet and up to 650 total gross square feet shall be limited to the building setbacks of the lot it is located on and is subject to the development conditions below. Any accessory building, structure, use and deck

over 650 total gross square feet must be at least 100 feet from any property line and is subject to the development conditions below.

b. Accessory buildings, structures, uses and decks shall be subject to the following development conditions:

1. Maximum height is two stories or 35 feet.
2. Buildings or structures shall have the meaning as defined in [section 134-1](#). Accessory structures and uses shall also include Jacuzzis, tennis courts, basketball courts, swimming pools (private), playhouses and playgrounds. When calculating square footage for ground level uses such as tennis courts, basketball courts and above ground swimming pools and the like, the footprint shall be used in calculating total gross square feet.
3. All accessory buildings, structures, uses and decks shall be located to the rear of the principal building, except for heating and air conditioning units or garbage pads, which may be located on the side of the primary structure and located within two feet of the primary structure.
4. The rear of the primary structure shall be where the main portion of the building ends without consideration of wings.
5. Architectural style and design are to be approved by the division manager of zoning or his designee, and are to be complimentary to the primary structure.
6. Such structures or buildings shall be located on the same lot as and to the rear of the primary structure to which they are accessory. Uncovered decks that are attached to the primary structure may be located to the rear or side of the principal building. Covered decks, covered patios, and covered steps shall adhere to the building setbacks of the primary structure.
7. No accessory building, structure, use or deck shall be constructed upon a lot until construction of the principal building has commenced.
8. On a corner lot, no accessory building, structure, use or deck shall be located closer to the side street right-of-way line than the principal building.
9. If the garage, accessory building, structure, use or deck is attached to the primary structure by a breezeway it shall be located up to a maximum of 25 feet from the primary structure to which it is attached. The breezeway may be enclosed or open.
- ~~10. When an accessory building is intended to be habitable it shall be attached to the principal structure by a fully enclosed heated/cooled hallway and it shall comply with the yard requirements of the principal building to which it is accessory. The accessory building, structure or use shall be located up to a maximum of 25 feet from the primary structure to which it is attached.~~
10. All accessory buildings, structures and uses in excess of 650 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 zoning division manager, or their designees.

11. The primary structure in a residential district shall be the principal house on the lot.

...

Section 134-199 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-199. – R-12 single-family residential district.

...

- (12) *Accessory buildings, structures, uses and decks.*
 - a. Size and setback limitations: Any accessory building, structure, use and deck up to 144 total gross square feet must be located at least five feet off the property line and limited to 15 feet in height subject to the development conditions list below (except for 15-foot height restriction). Any accessory building, structure, use and deck over 144 total gross square feet and up to 650 total gross square feet shall be limited to the building setbacks of the lot it is located on and is subject to the development conditions below. Any accessory building, structure, use and deck over 650 total gross square feet must be at least 100 feet from any property line and is subject to the development conditions below.
 - b. Accessory buildings, structures, uses and decks shall be subject to the following development conditions:
 1. Maximum height is two stories or 35 feet.
 2. Buildings or structures shall have the meaning as defined in [section 134-1](#). Accessory structures and uses shall also include Jacuzzis, tennis courts, basketball courts, swimming pools (private), playhouses and playgrounds. When calculating square footage for ground level uses such as tennis courts, basketball courts and above ground swimming pools and the like, the footprint shall be used in calculating total gross square feet.
 3. All accessory buildings, structures, uses and decks shall be located to the rear of the principal building, except for heating and air conditioning units or garbage pads, which may be located on the side of the primary structure and located within two feet of the primary structure.
 4. The rear of the primary structure shall be where the main portion of the building ends without consideration of wings.
 5. Architectural style and design are to be approved by the division manager of zoning or his designee, and are to be complimentary to the primary structure.
 6. Such structures or buildings shall be located on the same lot as and to the rear of the primary structure to which they are accessory. Uncovered decks that are attached to the primary structure may be located to the rear or side of the principal building. Covered decks, covered patios, and covered steps shall adhere to the building setbacks of the primary structure.
 7. No accessory building, structure, use or deck shall be constructed upon a lot until construction of the principal building has commenced.

8. On a corner lot, no accessory building, structure, use or deck shall be located closer to the side street right-of-way line than the principal building.
9. If the garage, accessory building, structure, use or deck is attached to the primary structure by a breezeway it shall be located up to a maximum of 25 feet from the primary structure to which it is attached. The breezeway may be enclosed or open.
10. ~~When an accessory building is intended to be habitable it shall be attached to the principal structure by a fully enclosed heated/cooled hallway and it shall comply with the yard requirements of the principal building to which it is accessory. The accessory building, structure or use shall be located up to a maximum of 25 feet from the primary structure to which it is attached.~~
10. All accessory buildings, structures and uses in excess of 650 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 zoning division manager, or their designees.
11. The primary structure in a residential district shall be the principal house on the lot.

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where the place of business of the applicant is located within a radius distance of 2,500 feet of another vapor retailer.

ARTICLE V. – SUPPLEMENTAL REGULATIONS

Section 134-266 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 134-266. – Gasoline pumps/electric car charging station(s) and canopies.

- (a) Distance requirements. There shall be 600-foot from the property line of the proposed fuel related use (convenience food stores with self-service fuel sales, full-service gasoline stations, fuel and ice dealers (as a primary use), and petroleum or bulk storage stations) to the property line of any property zoned for residential uses, daycares, schools, assisted living facilities, religious facilities, or parks. No convenience food store with self-service fuel sales, full-service gasoline station, fuel and ice dealer, and petroleum or bulk storage station shall be located within 1,000-feet of another listed use. The 1,000 feet shall be measured property line to property line.
- (~~b~~a) Setbacks. Within any zoning district which allows for gasoline pumps and canopies (attached or detached) covering the pumps, pumps and canopies shall be set back at least 15 feet from the future right-of-way. Any permanent building, whether or not attached to a canopy, must be located within the required building setbacks. Within any zoning district which allows for freestanding carwashes, canopies that cover any vehicles being washed on site must be permitted (through both the site plan review and structural review process and subject to the

landscape enhancement strip provisions contained in [section 134-285](#)) as a permanent structure requiring a footing or foundation to which the canopy is structurally attached, capable of supporting a predesigned load withstanding wind and other natural forces as may be further defined in this chapter, including structural calculations as prepared and certified by a professional designer licensed to practice in the State of Georgia and as distinguished from a temporary canopy or tent and the like (temporary canopies or tents are prohibited). When permitted, these canopies must be at least 15 feet from the future right-of-way. Canopies originally constructed to cover gasoline pumps may be utilized as canopies covering vehicles being washed on site, provided that they shall be set back at least 15 feet from the future right-of-way. Canopies, whether permitted as a permanent structure or preexisting as described above, may not be used for signage purposes.

(c) Service station canopy lighting shall adhere to the following standards:

- (1) All luminaries shall be mounted on or recessed into the lower surface of service station canopies and shall be fully shielded and utilize flat lenses. Lighting shall be designed and installed to minimize or eliminate stray lighting onto roadways and adjacent residential properties.
- (2) The total light output of luminaries mounted on the lower surface, or recessed into the lower surface of the canopy, and any lighting within signage or illuminated panels over the pumps, shall not exceed 50 foot-candles.
- (3) Lights shall not be mounted on the top or sides of a canopy and the sides of a canopy shall not be illuminated.
- (4) This section shall be effective October 1, 2022.

(d) Electric car charging station(s).

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