

**MINUTES OF BOC WORK SESSION
COBB COUNTY BOARD OF COMMISSIONERS
JANUARY 26, 2021
1:30 PM**

The Work Session of the Cobb County Board of Commissioners was held on Tuesday, January 26, 2021 at 1:30 p.m. in the second-floor public meeting room in the Cobb County Building, Marietta, Georgia. Present and comprising a quorum of the Board were:

Chairwoman Lisa Cupid
Commissioner JoAnn Birrell (via WebEx)
Commissioner Keli Gambrell
Commissioner Jerica Richardson
Commissioner Monique Sheffield

CALL TO ORDER

Chairwoman Cupid called the meeting to order at 1:32 p.m.

PRESENTATIONS

1. To present information regarding upcoming recommendation of changes to the Cobb County Code.

The following staff presented information regarding the upcoming recommendation of changes to the Cobb County Code:

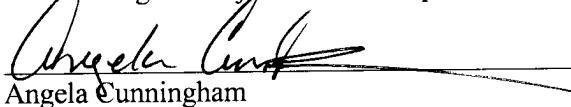
- Jessica Guinn, Community Development Agency Director - Chapters 6 (Alcoholic Beverages), 18 (Building Regulations), 22 (Cable Communications), 50 (Environment), 66 (Historic Preservation), 78 (Licenses, Permits and Businesses), and 134 (Zoning)
- Bill Johnson, Fire Chief - Chapters 54 (Fire Prevention and Protection), and 18 (Traffic and Vehicles)
- Erica Parish, Transportation Agency Director - Chapter 106 (Streets, Sidewalks and Other Public Places)
- Judy Jones, Water System Agency Director - Chapters 110 (Subdivisions), and 122 (Utilities)

A copy of the information presented is attached and made a part of these minutes.

No official action was taken by the Board.

ADJOURNMENT

The meeting was adjourned at 2:52 p.m.


Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

2021 Code Amendments

BOARD OF COMMISSIONERS
PUBLIC HEARING #1
JANUARY 26, 2021

1

Chapter 6

ALCOHOLIC BEVERAGES

2

Section 6-1. Definitions

- * Adds definition for "variety store" to differentiate from grocery stores
- * Adds definition of "Sample" and "Tasting event" to be consistent with state law

3

Section 6-99. Annual license fee to be set by the board of commissioners

- * Allows for other forms of payment besides certified or cashier's check
- * Allows for online payment, more convenient for businesses
- * Board allowed this during COVID-19 LOS

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REFERENCE ITEM

1

Section 6-131.

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

- * Allows for grocery stores (in addition to farm winery, distillery, or brewery) to hold retail license for package sales in location that dispenses or sells alcoholic beverages by the drink
- * Allows for samples and tasting events in accordance with state law

5

Section 6-176.

Sale or delivery to unlicensed premises or unlicensed caterers

- * Package retailer may deliver malt beverages, wine and distilled spirits in unbroken packages
- * Change reflects current state law

6

Section 6-221.

Generally

- * Allows Sunday package sales starting at 11:30 a.m., rather than 12:30 p.m.
- * Change reflects recent change to state law

REFERENCE ITEM

7

Chapter 18

BUILDING REGULATIONS

8

Chapter 18, Article II, Division 2 Board of Adjustment and Appeals

*Chapter 18-36, et seq.

*To incorporate appeals language from the IBC, Appendix B

*Changes:

- * Appointments by the BOC rather than District Commissioner and based upon the skill position which is vacant; will still retain nine total members including chairs of the Building Advisory Boards;
- * Appeals must be filed within 20 days after a permit notice has been filed;
- * Hearings will be conducted at regular monthly meeting or within 10 days after an appeal is filed.

9

Chapter 22

CABLE COMMUNICATIONS

10

Chapter 22 Cable Communications

*Chapter 22 repealed in entirety

*Cable and video service providers governed by federal and state law

- * Chapter 22 has potential conflict

*Any cable operator or video service provider seeking to operate within Cobb County must choose between applying for a State Franchise under O.C.G.A. § 36-76-1, et. seq., or negotiating a local franchise agreement with the County.

*Any protections the County might have had under the local Cable Code are still available under other federal and state law provisions, e.g., protections for work in the County rights-of-way, and also can be negotiated in a local franchise agreement.

11

Chapter 50

ENVIRONMENT

12

Chapter 50 Articles III and IV

*Revisions are required to bring Cobb County in conformance with the Metropolitan North Georgia Water Planning District's Model Stormwater Ordinance Revisions

13

Chapter 50, Article VII Noise

*Chapter 50-257, Paragraph 12: Landscaping Equipment

*New Language:

- * Landscaping Equipment prohibited between the hour of 9pm through 7am
- * Includes "lawnmower, weed eaters, and blowers either gas powered or electric..."
- * Intent is to protect "peace, quiet and comfort of the neighboring inhabitants"
- * Continue to be enforced by Cobb County Police

14

Chapter 54

FIRE PREVENTION AND PROTECTION

REFERENCE ITEM 1

15

Section 54-52. International Fire Code adopted.

* Adopt section 103 and 105 of IFC to better align with Community Development and International Building Code

16

Section 54-58. Use of three-inch fire hydrant meter.

- Rather than listing the unauthorized use of water penalty, the language is being revised to reference the Water System's Rate Schedule

17

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

- To permit CCFES to charge fees for services outside the normal scope of emergency response. Examples include:
 - EMS Standbys at special events
 - Fire Safety Watch at movie productions or high-density events
 - Lift assists at skilled nursing facilities

18

Section 54-63. Addressing and occupant directions within multi-building developments.

- Add a "wayfinding" provision within a large property with response issues

19

Article IV. Automatic External Defibrillator Devices.

- Sections 54-64 through 54-66
- Requires new businesses with occupancy greater than 300 to have an Automatic External Defibrillator before receiving Certificate of Occupancy
- Increase survival in public buildings from 5-6% to 60%
 - Expected to save 10-12 lives per year in Cobb County

20

Section 54-103. Enforcement.

* Change fines to fees similar to Police Department alarm ordinance

21

Chapter 118

TRAFFIC AND VEHICLES

22

Section 118-231. Required access for fire apparatus; identification.

*Clarifies existing DOT and FMO practices

REFERENCE ITEM

23

Chapter 66

HISTORIC PRESERVATION

24

Section 66-1. Definitions.

*New definitions:

- * Building
- * Site
- * Structure

25

Section 66-59. Requirements for designation of historic districts and landmarks.

*Changes notification requirements for public hearings to be more consistent with other public hearings (no less than 15 days, no more than 45 days)

26

Section 66-82. Approval of new construction within designated districts.

*Clarifies that design, scale, materials, setback and landscaping shall conform with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and locally adopted design guidelines

27

Section 66-85. Approval or denial.

*Clarifies that Historic Preservation Commission has the option to approve COA with modifications and/or stipulations

*Clarifies grounds for denial of a COA application

28

LICENSES, PERMITS AND BUSINESSES

REFERENCE ITEM

STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

MLB Draft Site Map

Legend:

- Trust Park
- Play Ball Park
- Sponsor Zone
- MLB Draft
- Atlanta Braves
- Atlanta Falcons
- Atlanta Hawks
- Atlanta Panthers
- Atlanta Sharks
- Atlanta Tigers
- Atlanta Wolves
- Atlanta Bears
- Atlanta Bulls
- Atlanta Knights
- Atlanta Rangers
- Atlanta Astros
- Atlanta Mariners
- Atlanta Yankees
- Atlanta Red Sox
- Atlanta Blue Jays
- Atlanta White Sox
- Atlanta Cardinals
- Atlanta Padres
- Atlanta Rockies
- Atlanta Dodgers
- Atlanta Giants
- Atlanta Pirates
- Atlanta Brewers
- Atlanta Cubs
- Atlanta Astros
- Atlanta Mariners
- Atlanta Yankees
- Atlanta Red Sox
- Atlanta Blue Jays
- Atlanta White Sox
- Atlanta Cardinals
- Atlanta Padres
- Atlanta Rockies
- Atlanta Dodgers
- Atlanta Giants
- Atlanta Pirates
- Atlanta Brewers
- Atlanta Cubs

*This Code Amendment would allow Cobb County to adopt the revised 2016 Utilities Accommodation Policy and Standards Manual which in turn allows Cobb County to implement the most current policy to reflect the intent and effect of the state right of way policy as it would logically apply to unincorporated county rights of way, and in order to reflect the county's policies and practices.

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Article 7 Small Wireless Facilities

*Section 106-181. Definitions

*Section 106-186. Removal, relocation or modification of small wireless facilities in the ROW

*In September of 2019 Small Wireless Facilities was incorporated into the official Code of Cobb County. Additional clarification within these sections was determined to be needed specifying processes for handling damaged or destroyed poles within the rights-of-way, and ownership of replacement poles.

33

Chapter 110

SUBDIVISIONS

34

Chapter 110. Subdivisions

*Clarifying that plats for subdivisions being proposed on septic tanks must be authorized by the Water System before submitting the plat to the Health Department.

*Cleaning up plat requirements to be consistent with current practices and adding requirement to show easement setbacks.

*Changing septic tank requirements to reference Section 122- Utilities to delete duplication and ensure there are no conflicting requirements.

*Correcting that overlapping drainage and sewer easements are approved by the Water System.

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Chapter 122

UTILITIES

36

Chapter 122. Utilities

- *Cleaning up language to be consistent with current practices.
- *Adding definition of subdivision to clarify that the definition in this chapter is the same as Chapter 110 – Subdivisions.
- *Adding Criminal Penalties section, which is required by Federal Pretreatment Regulations.
- *Changing Wastewater Lift Station section to provide for Water System Director to grant a variance in limited situations for a private pump station to pump across one adjacent property.
- *Adding clarification to Wastewater Lift Station section that EPD must approve private pump stations serving more than one property.

37

Chapter 134

ZONING

38

Sec. 134-168. Property zoned conservation subdivision accessory structures

- *CS property accessory structures no longer require BOC approval
- *Planning Commission recommends approval

REFERENCE ITEM

39

Sec. 134-221.2. Redevelopment overlay district

- *No new applications for ROD to be accepted after 3/1/21
- *Planning Commission recommends approval

40

Sec. 134-290. Austell Road design overlay district

- *Codifies the Austell Road design guidelines
- *No changes to the guidelines
- *Planning Commission held until February

41

134-312. Definitions

- *Added definition for Banner
 - * *Banner* means a piece of fabric or other flexible material that is attached to a temporary pole, enclosed in a frame, or mounted on a building as a temporary sign device. Flags shall not be considered banners.
- *Flags are attached to a permanent flag pole
- *Flags are not signs by definition
- *Planning Commission recommends approval
 - * Change "building" to "structure" in banner definition
 - * Add "Interstate 575" to major road definition

42

134-314. Signs prohibited

- *Added:
 - * Signs within easements or setbacks for water, sewer, or drainage (variance can be granted by Water Director) (consistent with Chapter 122)
 - * Signs on trees, utility poles, rocks or other natural features
 - * Pennants and streamers
 - * Mechanical fan and wind activated devices
 - * Signs not in good repair
- *Planning Commission recommends approval
 - * 134-314(c)- add "as" after "zoned"
 - * 134-314(d)- add "Board of Commissioners" after "board of zoning appeals"
 - * 134-314(f)- add "as" after "zoned"
 - * 134-314(k)- add to the end: "except blade signs that may project 48 inches"

43

134-319. Nonconforming signs

- *Clarify that sign square footage legally permitted under old code is exempt from the new code requirements
- *Planning Commission recommends approval

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134-321.

Commercially and industrially-zoned properties

- *Change calculation for allowable area for wall/awning sign
 - * Maximum currently 49 s.f.
 - * Changing to maximum 150 s.f. for 1 and 2 stories (or under 20')
 - * Maximum 200 s.f. over 2 stories (or more than 20')
 - * Multi-tenant center wall signs to be affixed to tenant/applicant's actual wall space
- *Electronic messaging limited to 32 s.f., no more than 2 per sign
- *Planning Commission held until February

45

134-322.

Nonresidential uses on residential properties

- *Added "residential subdivision signs, apartment communities..."
- *Sign area calculation- lot size includes entire subdivision plat or size of lot for single use lot
 - * Lots < 5 ac: 32 s.f.
 - * Lots > 5ac: 64 s.f.
- *Sign must be at least one foot off r/w
- *Planning Commission held until February

46

134-323. Temporary signs for commercially and industrially-zoned properties

- *Maximum allowable area reduced from 200 to 100 s.f.
- *Planning Commission recommends approval

REFERENCE ITEM

47

134-343. Permits

- *Only require one copy of plans for freestanding signs (currently requires two copies)
- *Planning Commission recommends approval

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