

**MINUTES OF BOC WORK SESSION
COBB COUNTY BOARD OF COMMISSIONERS
OCTOBER 22, 2024
1:30 PM**

The Work Session of the Cobb County Board of Commissioners was held at 1:30 p.m., Tuesday, October 22, 2024, at the David Hankerson Building, 100 Cherokee Street, Marietta, Georgia, in the second-floor public meeting room. Present and comprising a quorum of the Board were::

Chairwoman Lisa Cupid
Commissioner JoAnn Birrell
Commissioner Keli Gambrell
Commissioner Monique Sheffield

Commissioner Jerica Richardson - not present

CALL TO ORDER

Chairwoman Cupid called the meeting to order at 1:30 p.m.

PRESENTATIONS

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

The following staff presented information regarding the proposed code amendments to Part I Chapters 2 (Administration), 6 (Alcoholic Beverages), 18 (Building Regulations), 50 (Environment), 78 (Licenses, Permits and Businesses), 110 (Subdivisions), 122 (Utilities), 134 (Zoning), and Part II Chapter 2 (Administration):

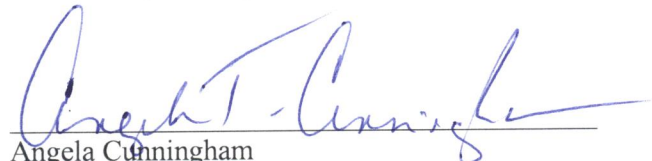
- Sabrina Wright, Economic Development Director, Part I Chapter 2 and Part II Chapter 2
- Judy Jones, Water System Agency Director, Chapters 18 and 122
- Detective Bruce Witt, Police Department, Chapter 78
- Jessica Guinn, Community Development Agency Director, Chapters 6, 50, 110 and 134

A copy of the information presented is on file in the office of the County Clerk.

No official action was taken by the Board.

ADJOURNMENT

The meeting was adjourned at 3:44 p.m.


Angela Cunningham
Deputy County Clerk
Cobb County Board of Commissioners

2024 Code Amendments

BOARD OF COMMISSIONERS

WORK SESSION

OCTOBER 22, 2024

1

Chapter 2

ADMINISTRATION

2

Sec. 2-180. – Film Permit

Purpose: To clarify that all parties interested in filming in Cobb County, for any purpose, must submit a film permit application to the Cobb County Economic Development Department.

Fees may be assessed for various purposes, to include the following:

- Application Fee
- Filming that occurs on county-owned property and/or impedes any county-owned right-of-way
- Expedited permit fees for requests received with 10 or fewer days notice
- Use of County facilities and/or personnel (Police Department, DOT, etc.)
- Other fees specific to the film request and needs

Part II- Chapter 2

ADMINISTRATION

DIVISION 2. – South Cobb Redevelopment Authority

Purpose: Remove the South Cobb Redevelopment Authority

House Bill 1330:

- South Cobb Redevelopment Authority becomes Mableton Development Authority
- Five members appointed by City of Mableton
- Two members appointed by Cobb delegation
- Current members continue to serve terms to which they were appointed

5

Chapter 18

BUILDING REGULATIONS

6

Article IX. Plumbing Code

- 18-257 Amendments to the International Plumbing Code to comply with the Metropolitan North Georgia Water Planning District requirements as follows:
 - Revisions to several definitions
 - More stringent water efficiency requirements for plumbing fixtures in new and portions of renovations or repairs being made, including one- and two-family dwellings.
 - Changes to landscape irrigation system efficiency requirements for new systems.
 - Changes to uses for reclaimed water from a wastewater treatment plant.
 - Changes to rules for sizing water piping systems to allow for design methods that account for the demands of water-conserving plumbing fixtures.

Chapter 122

UTILITIES

Article II. Water and Wastewater Systems

- 122-111 Added requirement to notify Water System Dispatch before operating fire hydrants
 - Issues with private firms conducting fire flow tests
- 122-130 Clarifies the requirement for developments to provide gravity sewer and when septic systems may be used
- 122-152 Clarifies assured water pressure
 - Clarifies that assured water pressure is at the meter rather than to multi-level buildings
 - Removes water tower requirement for developments in high elevation areas
- 122-242 Specifies septic systems to conform to regulations of the Division of Public Health

9

Chapter 78

LICENSES, PERMITS AND BUSINESSES

10

Subdivision III. - Door-to-Door Salesperson's Permit
Section 78-112 – Application; registration; investigation and report; grounds for denial.

- Transfers the entire process to obtain a Door-to-Door Salesperson Permit **to** the police department Regulatory Services and Permits Unit, including receipt of payment, **from** the Business License Office.
- Creates categories for which a permit will **not** be granted, to conform with the standards of other permits issued by the Permits Unit, including but not limited to alcohol, health spa, pawn, and precious metals dealers. As with the other permits that get denied, the appeal process to the License Review Board (LRB) will be the same.
- Does not change the exemptions listed in 78-81.

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Section 78-114 – Duration; renewal
Section 78-115 – Solicitation permit

- Verbiage was changed to strike references to the Business License Office and replace it with "Cobb County Police Department Regulatory Services Unit."
- The word "license" was changed to "permit".

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Division 3 – Licenses Requiring Prior Approval and Regulation

Section 78-131 – Definitions.

- Changes made to conform with state law definitions.
- Removes references to professional healthcare establishments and fitness centers.
- Adds the definition of a massage therapist, massage therapy or massage, taken directly from the definition in state law (OCGA 43-24A-3 (8) and (9)). (The entire definition under (9) was not used, just the part that applied to the county)

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Division 7 – Health Spas

- **78-272 – Inspections:** gives authority to inspect to “any regulatory unit of the county” of all records “not protected by HIPAA”.
- **78-273 – List of employees to be filed with county:** adds “owners” or “managers” as responsible parties to report the list of current employees; requires the names to be reported “upon hire and prior” to them working. It removes the 72-hour grace period, which conforms to the requirements of the other permits issued by the unit.
- **78-275 – Hours and place of operation:** adds “licensee, or manager” as additional responsible parties for reporting hours of operation. Strikes “licensee” and replaces it with “business operating”.
- **78-276 – Prohibited contact:** Add a requirement that all persons performing any type of massage (including foot massage) to be a State of Georgia licensed massage therapist.

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Subdivision II – License (Health Spa)

- **78-291 – Application:** Requires listing of all names used, including aliases and American names used; submission of diagram of floorplan.
- **78-291.1 – Establishments must begin operation promptly**
- **78-293 – Location and premises requirements:** Prohibits anyone from living in a health spa, whether temporarily or permanently; prohibits beds, mattresses, any other bedding not used for massage therapy, sleepwear, groceries, cookware (except a microwave &/or a toaster oven), excessive clothing (more than one day's worth), personal grooming items. These are indicators of human trafficking, which is why the prohibitions have been proposed – to fight against the trafficking. Subsections (e) and (f) were struck because they are address in other ordinances and were redundant. Subsection (k) was added to conform to new state law. Subsection (l) was added to better regulate foot massages and prevent sexual acts from being performed. Subsection (m) was added to ensure the safety of the employees and customers, as well as give employees on-site access to camera footage. A lot of locations are monitored from out of state and other locations not on-site.

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Subdivision II – License (Continued) (Health Spa)

- **78-294 – Grounds for denial, suspension, or revocation:** Subsection (12) was added as another vehicle to have the business or permit holder to appear before the LRB due to repeated violations.
- **78-299 – Work permits:** Requires work permit applicants to provide accurate addresses. It also requires employees to obtain permits for each business they work – one permit will no longer cover any/all health spas in unincorporated Cobb. Subsection (d) was added to ensure no employee starts working until their name has been reported on the list of employees. It also states that a receipt issued by the county is not a permit and can't be used to work. Subsection (e) requires an employee whose permit is suspended or revoked to turn the permit in to the Permits Unit, and prohibits alteration, concealment, defacement, or destruction of the permit.

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Chapter 6

ALCOHOLIC BEVERAGES

17

Section 6-147. -Procedure for fee, suspension and revocation.

6-147(g)(5)(b) – Amending language to be consistent with state law, O.C.G.A. §5-3-1 *et seq*, which changes the criteria of info that must be reviewed when an appeal is filed.

18

Chapter 50

ENVIRONMENT

19

Section 50-71. Definitions.

- Clarifying language to differentiate ComDev Director and EPD Director
- Clarification of "fill"
- Clarification of state code section related to Georgia Water Quality Control Act

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

- Establishes information required for site plan
 - ESC Plan Review Checklist established by Soil and Water Conservation District
- Provides for suspension, revocation or modification of permit for non-compliance
- Provides for permit application to be rejected for applicants with multiple violations on previous permits within three years

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Section 50-79. Appeal of administrative decision; judicial review.

Provides for appeal within ten days of administrative decision.

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Chapter 110

SUBDIVISIONS

23

Section 110-1. Definitions.

(5) Removes language regarding variance for public road frontage to reflect current practice

24

Section 110-25. Procedure for plat approval for subdivisions.

Adds requirement for required conservations easements and/or mandatory covenants protecting open space/conservation areas to be recorded prior to final plat approval.

25

Chapter 134

ZONING

26

Section 134-1. Definitions.

○ *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.

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Section 134-1. Definitions.

○ *Impervious surface* means a permanent improvement affixed to the earth which does not allow water or liquid to pass through it or permeate into the earth. For the purposes of this chapter, impervious surface shall include structures (principal and accessory), parking lots, driveways, walkways, non wooden pool decks and the like. **Calculations for the percentage of impervious surface shall be made on an individual lot by lot basis, not in the aggregate for a community of lots (i.e. subdivision).**

28

Section 134-1. Definitions.

o *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~~ **two** unrelated ~~adult~~ **adults**, or ~~two~~ **three** 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 primary structure shall be accessed through the front or primary door.**
- 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...

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Accessory Dwelling Units Section 134-1. Definitions.

o Section 134-1

- Adds definition for Accessory Dwelling Unit (ADU)

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

- Additional language to Single-family dwelling unit definition.

"One single-family dwelling unit shall include the primary structure and may include up to one accessory dwelling unit."

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Accessory Dwelling Units

Section 134-37. Special land use permits.

(35) Accessory dwelling units (ADU)

- a) **ADU accessed from a separate entry from the primary structure shall require a special land use permit.**
- b) ADU shall not exceed 50% of the gross square footage of the primary ~~single-family dwelling unit structure.~~
- c) ADU shall be no more than one-story in height, not to exceed the height of the primary ~~single-family dwelling unit structure.~~
- d) A minimum of one off-street parking spot shall be provided for the ADU.
- e) ADU shall be connected to the utility meters of the primary structure.
- f) ADU shall be located only in the rear yard, and shall adhere to the side and rear yard setback of the primary structure.

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Accessory Dwelling Units

Section 134-37. Special land use permits.

- g) Maximum impervious surface coverage for the lot shall not exceed the zoning district limitation.
- h) ADU must adhere to all other standards for accessory structures in the zoning district.
- i) There shall be no more than one ADU per single-family lot.
- j) **Occupancy and parking for single-family dwelling units, to include the primary structure and the ADU, shall be in accordance with section 134-1.**
- k) ~~ADU shall not be utilized as a short-term rental property.~~ **Short-term rental of either the primary structure or the ADU shall be prohibited.**
- l) The owner(s) of the property shall reside in either the primary ~~single-family dwelling unit structure~~ or the ADU.
- m) Property owner(s) shall sign an affidavit stating that the ADU is not in conflict with any applicable covenants, conditions, deed restrictions, or bylaws.

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Accessory Dwelling Units Sections 134-193 through 199.

Removes requirement for accessory building with habitable space to be connected to principal structure by a fully enclosed heated/cooled hallway a maximum of 25 feet from structure to which it is attached.

- R-80
- RR
- R-40
- R-30
- R-20
- R-15
- R-12

33

Section 134-37. Special land use permits.

Increases required landscape screening buffer for clubs and lodges (noncommercial) abutting residential property line from 35 to 50 feet

34

Section 134-94. Powers.

Eliminates (4) regarding making recommendations to BOC regarding variances for road frontage or lot size reductions to reflect current practice.

35

Section 134-123. Action by planning commission.

Adds "deletion to an alternative zoning district" as an option for recommendations of the planning commission

36

Section 134-266. Supplemental regulations.

oElectric car charging stations

- Applies nonresidential requirements to multifamily zoned properties
- Exempts charging stations within parking decks that have been approved by Fire Marshal and Development and Inspections Division

37

Section 134-271. Special exceptions.

Increases required landscape screening buffer for places of worship abutting residential property line from 35 to 50 feet

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