

2026 Code Amendments

BOARD OF COMMISSIONERS

WORK SESSION

SEPTEMBER 22, 2026

Chapter 2

ARTICLE V. - ECONOMIC DEVELOPMENT

Sec. 2-166. – Definitions

Language in Section 2-166 was updated to note Economic Development as a Department rather than a Division.

Sec. 2-167. – Economic Development Department Established; Duties

This section was updated to note the Department (rather than division) as well as updating language regarding the duties of the department.

- a. Adding the Economic Development Strategic Plan
- b. Removed Community Development Block Grant and WorkSource Cobb from the administrative role of the Economic Development Department.
- c. Updated language regarding the inventory of available properties for site selection.
- d. Removed language regarding the annual economic development roundtable meetings

Sec. 2-168: Potential Incentives Available

Proposed Change: The list has been amended to display the amended list.

Features

1. Small Business and New Start Incentive Program – DELETED
 - a. Replaced with Strategic Business Investment Program
2. Business Retention Incentive Program – DELETED
 - a. Replaced with the Façade Grant Program
3. Targeted Industry Incentives Program – DELETED
 - a. Replaced with Tax Allocation District
4. Special Economic Impact Incentives Program - DELETED
 - a. Replaced with the Housing Incentive Program
5. Commercial and Industrial Rehabilitation Property Program – DELETED/RESERVED
6. Sections 2-173 - 179 are RESERVED

Sec. 2-169. – Entrepreneurship and Incentive Program

Proposed Change: Updated the criteria to qualify for the Entrepreneurship and Innovation Incentive Program. The list is not comprehensive; however, modifications include:

Program Features:

1. Streamlined language regarding the completion of an entrepreneurship development program
2. Added language that requires that the business must be in operation for seven years or less.
3. Added a statement to indicate other requirements may be determined by the Economic Development Department.
4. Noted that the incentive includes a cash grant from the County as well as assistance with business license, permitting, and other start-up processes.

Section 2-170: Strategic Business Investment Incentive Program

Proposed Change: Eliminate the existing **Small Business and New Start Incentive** and replace it with a consolidated **Strategic Business Investment Incentive Program**.

Purpose

Encourage the location, expansion, retention, and investment of businesses in Cobb County through a competitive, tiered incentive structure.

Program Features

1. Consolidates overlapping business incentives into one streamlined program
2. Supports both business recruitment and retention/expansion projects
3. Provides tiered incentives based on:
 - Target industry
 - Capital investment
 - Number of jobs created/retained
 - Average salary

Aligns incentive value with the scale and economic impact of the project

Section 2-171: Façade Improvement Grant.

Proposed Change: Eliminate the existing Business Retention Incentives Program and replace it with the **Façade Improvement Grant**.

Purpose

Support targeted commercial revitalization by improving the appearance of properties and addressing blight within priority redevelopment areas of Cobb County.

Program Features

1. Provides reimbursement-based grants to eligible property owners
2. Targets properties located within HUD-designated low- to moderate-income census tracts
3. Supports improvements to commercial and mixed-use commercial/residential facilities to eliminate blight and enhance commercial property façades
4. Must meet program guidelines as outlined by Community Development Block Grant (CDBG) and the Economic Development Department. Grants approved by a Review Committee.

Sec. 2-172. – Tax Allocation District

Proposed Change: To delete the Targeted Industry Incentive Program and replace it with the Tax Allocation District

Purpose

To revitalize blighted, underutilized or declining areas, fund public infrastructure and encourage further economic investment.

Program Features

1. Redevelopment incentive intended to support projects that demonstrate the highest public benefit by eliminating blight, strengthen employment and the economic base, increase property values
2. Must adhere to the county's TAD policy, Comprehensive Plan, Economic Development Strategic Plan, codes, etc.

Sec. 2-173: Housing Incentive Program

Purpose

To provide services, assistance and/or incentives for the construction of new residential units for households earning up to 80% Area Median Income, as determined by HUD.

Program Features

1. Investment of \$10 million in real property
2. Minimum of 50 units
3. 20% set aside as affordable units (80% AMI)
4. Must remain affordable for the duration of the incentive period
5. Eligible projects may receive a waiver of reduction of building permit fees and expedited permitting and plan review

Chapter 6

ALCOHOLIC BEVERAGES

Sec. 6-1. – Definitions and Sec. 6-125.1- Distance requirements- package stores

- *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...
- Package stores to be located no closer than 2,500 feet from another package store (state code requires 1,500 feet)

Sec. 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.

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

- Current county code prohibits package sales in restaurants, café or eating place, or in the same room where a bar is maintained for dispensing and sales of alcoholic beverages.
- Currently exempts grocery stores, farm wineries, distilleries, and breweries.
- State law now allows for “to-go” sales of alcohol from restaurants
- Propose to strikethrough 6-131 to mirror current state law

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

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.

The Battery Open Container District



Sec. 6-236. Pricing of alcoholic drinks.

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.~~

Chapter 10

ANIMALS

Sec. 10.1. – Definitions

Breeder shall mean anyone who sells, exchanges, or offers for adoption or rescue in a twelve-month period (1) more than one litter in any twelve-month period, or (2) over 30 adult animals. Also known as a “pet dealer” under the Georgia Animal Protection Act.

(This definition is consistent with the regulations of the Department of Agriculture)

Sec. 10.73. – Breeding of animals

License Requirements. It shall be unlawful for a breeder to engage in the sale, exchange, transfer, or adoption of animals without a pet dealers' license from the Georgia Department of Agriculture, business registration certificate from the Cobb County Business License Division for an animal related business.

Penalties

- A CCAS animal services officer or sworn police officer is authorized to impound any animal subject to transfer in violation of this code section.
- A person found guilty of violating this code section shall be subject to a fine not to exceed:

First offense	\$100
Second offense	\$250
Third or subsequent offense	\$500

Each violation of this article shall constitute a separate offense.

(Code Enforcement will be permitted to issue citations only under this code section)

Chapter 50

ENVIRONMENT

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

(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.

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

- Removes the reference to “under Chapter 83, Nuisance” and updates wording to correctly refer to subsection (d) of this section.

Section 50-163. – Owner’s failure to maintain private stormwater management systems.

- Current code requires execution of an Inspection and Maintenance Agreement, which:
 - Defines maintenance responsibilities for private stormwater systems and specifies the enforcement actions available to the county.
 - Applies to systems constructed after the adoption of current Georgia Stormwater Management Manual (GSMM) standards.
- This proposed section:
 - Incorporates language required by the Metropolitan North Georgia Water Planning District
 - Extends the county’s authority to address maintenance deficiencies in private stormwater systems that predate GSMM standards or the requirement for an Inspection and Maintenance Agreement.
 - Adds authority for the county to address maintenance deficiencies in private stormwater systems through the International Property Maintenance Code.

Sec. 50-257 – Noise

Sunday – Thursday: 65 dBA nighttime limit begins at 10:00pm

Friday – Saturday: 65 dBA limit continues to begin at 11:00pm

Key Change: Weekday nighttime restriction starts one hour earlier.

Measurement: decibel level continues to be measured from the complainant's location

Sec. 50-258 Consumer Fireworks

General restriction: Fireworks permitted 10:00 a.m. – 8:59 p.m.

Holiday Exceptions: extended hours through 11:59 p.m. on specified state-law dates.

New Years Day: additional use permitted from 12:00 – 1:00 a.m.

Special-use permits: may authorize additional dates, times, and locations.

Equine facilities: ignition remains prohibited within 200 yard of the confined equines.

Chapter 54

FIRE PREVENTION AND PROTECTION

Sec. 54-59. – Hydrant obstruction and maintenance

(a) Verbiage change to incorporate ALL privately owned fire hydrants

(c) Adds a timeframe to when the records need to be submitted and associated fee

Sec. 54-59.1 – Fire hydrant installation for existing apartment complexes

This is a restructure of the ordinance layout only. The verbiage was not changed it was moved from Sec. 54-60.

Sec. 54-60. – Fire and Life Safety System Inspection, Testing, and Continual Maintenance

This entire section requires safety systems to be maintained by the owner of the system.

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

(b) (6) Clarifies how invoices are delivered

(c) (2) Establishes definitions for the subcategories of Fire Watch

(c) (4) The verbiage change intends to clarify if a transport service relies on Cobb Fire to load or unload their clientele it qualifies as a 'Life Assist'.

Chapter 66

HISTORIC PRESERVATION

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

- Current code calls for HPC member terms to run concurrently with appointing commissioner
- Amendment proposes to make terms for each member no greater than three years in accordance with state law

Chapter 78

LICENSES, PERMITS AND BUSINESSES

Article VIII. – Vapor Product Retailers

- New article
- Sec. 78-560. Definitions.
 - 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.

Article VIII. – Vapor Product Retailers

- Distances mirror alcohol:
 - 300 feet to private residences
 - 600 feet to public libraries, churches, public parks, schools and colleges
 - 2500 feet to vapor retailers
- Denial can be appealed to License Review Board

Chapter 83

NUISANCES

Article I. – In Rem Nuisance Abatement.

- Amendments to Sections 83-4 through 83-7 to be pulled

Article II. – Weed Control, Outside Storage and Junk Vehicles.

- Sec. 83-9: 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.

Article II. – Weed Control, Outside Storage and Junk Vehicles.

■ Sec. 83-10. – Definitions.

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:

- Wrecked.
- Dismantled.
- Partially dismantled.
- Inoperative.
- Abandoned.
- Discarded.
- One which does not have a valid license plate and/or valid decal attached hereto.

Article II. – Weed Control, Outside Storage and Junk Vehicles.

■ Sec. 83-10. – Definitions.

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.

Article II. – Weed Control, Outside Storage and Junk Vehicles.

- Sec. 83-11.- Exemptions
 - Outside storage of lawn furnishings and firewood
 - Outside storage on properties zoned LI with 35' setback
 - Outside storage on properties zoned HI
 - Junk vehicles in an enclosed building or on premises of legal business where necessary for operation of such business

Article II. – Weed Control, Outside Storage and Junk Vehicles.

- Sec. 83-12.- Prohibited.
 - It shall be unlawful for the owner of any property to permit invasive vines to extend onto or over an adjoining property.
 - Property owners of developed property shall be required to maintain the right-of-way from the property line to the street curb in the same manner.
 - 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.

Article II. – Weed Control, Outside Storage and Junk Vehicles.

- Sec. 83-13.- Notice to remove and hearing.
 - Property owner must remedy violation within 20 calendar days or a citation will be issued.
 - This would apply to vacant as well as occupied property.
 - County may remedy the condition
- 83-14.- Removal by county.
 - After 20 days if the condition has not been remedied, county can remedy at expense of the property owner.

Chapter 86

DISORDERLY CONDUCT AND PROPERTY USE

Sec. 86-2 and new Sec. 86-12/86-13

Private Property

New Sec. 86-12: prohibits unauthorized camping, sleeping, residing, lying down, or storing personal property on private property.

Written permission required: authorization from the owner or leaseholder must be maintained and shown to law enforcement upon request.

Sec. 86-2(i): police may give notice prohibiting entry at the request of the owner or lawful occupant.

Enforcement connection: a person camping on private property may be required to produce written authorization

Public Property

New Sec. 86-13: prohibits camping, sleeping, residing, or storing personal property on county streets, public squares, parks, and other public property without written county permission.

Fires restricted: building, maintaining, or using fires is prohibited except in areas specifically designed and designated for camping or cooking.

County permission: written authorization must be maintained and shown to law enforcement upon request.

Sec. 86-2(j): prohibits throwing of bottles, cans, glass, stones, missiles, or other debris on public or private property.

Article V. – UNLAWFUL DISCRIMINATION (Secs. 86-66 – 78)

A new Article V to address unlawful discrimination in Cobb County

- Promotes equality;
- Is a proactive effort to ensure all residents feel safe, welcomed and protected from discrimination

Sec. 86-75. – Enforcement.

- (1) A complaint is with the county clerk, within 90 calendar days after the alleged act of discrimination
- (2) The complaint is forwarded to the initial mediator and the respondent within three business days of receipt
- (3) The mediator shall review the complaint and any answer, for compliance with code and facts sufficient to invoke jurisdiction; if not, complaint is dismissed
- (4) If not dismissed, a conference is scheduled to attempt to reconcile the dispute
- (5) The case will be dismissed if the complainant does not attend or refuses to participate
- (6) If settled during the conference, the mediator shall draft and send to the complainant and the respondent a written settlement agreement setting forth all agreed upon terms
- (6) If, within ten business days, either party disputes the settlement, the mediator shall refer the matter to the magistrate court to go through the standard process for prosecuting alleged ordinance violations

Sec. 86-71. – Penalty.

Sec. 86-76. – Other remedies.

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

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

Chapter 106

STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES

Sec. 50. – Responsibility for Costs.

(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.

This amendment allows for the overlapping of Street Light Districts that serve different purposes or provide different levels of service.

Sec. 168. – Installation and operation standards adopted; exceptions.

(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.

This amendment allows for the installation of pedestrian fixtures where the luminaire is below eye-level by design.

Chapter 118

TRAFFIC AND VEHICLES

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

Chapter 134

ZONING

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.

Section 134-1. Definitions.

- *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 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...

Purpose Built Student Housing

Section 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.~~

Purpose Built Student Housing

Section 134-37. Special land use permits.

- ~~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.~~

Purpose Built Student Housing

Section 134-37. Special land use permits.

- 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.

Purpose Built Student Housing

Section 134-37. Special land use permits.

- 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.

Purpose Built Student Housing

Section 134-37. Special land use permits.

- 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.

Accessory Dwelling Units

Section 134-1. Definitions.

- 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.”

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.

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.

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

Data Centers

Section 134-1. Definitions.

- Section 134-1
 - Adds definition for Data Center

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.

Data Centers

Section 134-37. Special land use permits.

(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.

Data Centers

Section 134-37. Special land use permits.

- 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.

Data Centers

Section 134-37. Special land use permits.

- 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.

Data Centers

Section 134-37. Special land use permits.

- 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

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

Distance requirements. There shall be 600-feet 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.

Questions?

Next steps

- Planning Commission Public Hearing (Chapter 134 only)- October 6, 9:00 a.m.
- Public Hearing #1- October 13, 9:00 a.m.
- Public Hearing #2- October 27, 7:00 p.m.
- Board vote on amendments following public hearing on October 27