

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
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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:

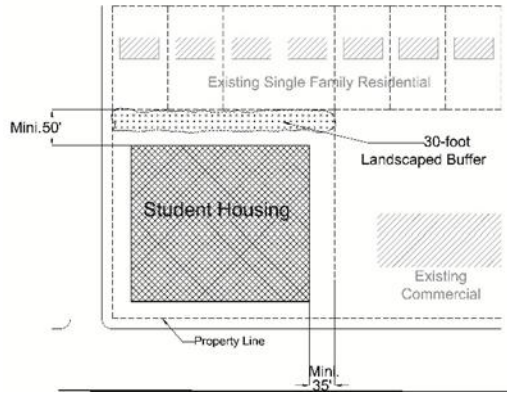
Sec. 134-37. –Special land use permits.

...

(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~~b) 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~~e) Electric car charging station(s).

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