

Adopted Amendments  
Official Code of Cobb County  
Chapters 2, 106 and 134  
Public Hearing Dates  
July 27, 2010 – 7:00 pm  
August 10, 2010 – 9:00 am  
Clean Copy

Cobb County Community Development  
P.O. Box 649  
Marietta, GA 30061  
[www.cobbcounty.org](http://www.cobbcounty.org)

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Sec. 2-67 [Ethics Board]. Terms; vacancies.

Members of the board of ethics shall each serve a term of four years, without compensation, with a limit of two consecutive full terms per member, per position. Term limits shall become effective upon completion of the current term for each position. Additionally, those members having served two or more consecutive full terms shall not be eligible for reappointment to the Board of Ethics. If any vacancies occur, the remaining board members shall at that time choose an alternate member mutually agreed upon to temporarily serve until the position is permanently filled as provided in this division.

(Ord. of 11-14-89, § 116; Ord. of 7-23-91; Ord. of 10-11-94; Code 1977, § 3-20-46(b); Ord. of 2-22-00)

Sec. 106-48. Creation of district--Petition by lot owners.

(a) Any lot owner in any unincorporated area of the county may present a request for the creation of a street light district to the director of the department of transportation. Upon receipt of the request, the department of transportation shall determine the appropriate boundaries for a street lighting district which will serve the lot owner presenting the request and neighboring lot owners. The department of transportation shall then prepare a plat showing this proposed street lighting district, and a petition for the creation of the proposed street lighting district shall then be circulated among the lot owners in the proposed district. That petition shall provide space for the lot owners in the proposed district to sign, showing whether it is their preference that the proposed district be created. Once a petition has been returned to the department of transportation, there shall be no changes in the preferences recorded thereon, and the petition shall clearly state the same. If 75 percent of the lot owners in the proposed district sign the petition approving the creation of the street lighting district, notices shall be posted in the proposed district stating that: "Notice: Cobb DOT has received a petition for street lights. A public hearing is not required unless requested in writing by (date). For information call (telephone number)."

If such hearing is requested, the person requesting that hearing shall be notified of the date and time of the hearing, and a legal advertisement announcing the public hearing shall be published once in the official legal organ of the county. At any such hearing, the board of commissioners shall determine whether or not to create the proposed street lighting district. Safety and economic factors shall be the prime consideration in making such determination. If there is no request for a hearing or if 100 percent of the lot owners have signed the petition, the street lighting district shall be created, upon approval of the board of commissioners. The department of transportation will take no action on petitions with less than 75 percent of the lot owners' approval.

(b) The petition for creation of the proposed street lighting district must be returned to the department of transportation within 90 days after it is obtained from the department; however, the director may, in his discretion, for good cause shown, extend the time for the return of the petition an additional 30 days, for a total of 120 days, when a request for such extension is made to the department of transportation before the expiration of the original 90 days.

(c) Where the initial petition is mailed by the department of transportation to the lot owner requesting the street light district, an additional three days shall be added to the 90 days to allow time for mailing. If the completed petition is returned to the department of transportation by mail, to be timely, the envelope must be postmarked indicating that it was mailed on or before the date due. In those cases where the due date falls on a weekend or legal holiday, the due date shall be the end of the next business day. Envelopes postmarked after the due date shall not be considered.

(d) Notwithstanding any provisions to the contrary set forth in paragraphs (a), (b), and (c) of this Section, if a Community Improvement District ("CID") desires to create a street lighting district within the boundaries of the CID, a representative of the CID may present such request to the director of the department of transportation. The request shall include a copy of a resolution by the CID and certified minutes showing that the CID Board of Directors or governing body has duly adopted the resolution approving the creation of a street lighting district and the street lighting district's boundaries. Upon receipt of the request and the other documents, the department of transportation shall determine if the boundaries of the street lighting district are appropriate. If the boundaries are determined to be appropriate, the street lighting district will be created upon approval of the board of commissioners.

Additionally, notwithstanding any provisions to the contrary, including those set forth in Section 106-50 through 106-52 regarding costs, payments, and collections, when a street lighting district is created within a CID, the cost of providing and maintaining the street light service in the street lighting district shall be determined by agreement between the CID and the County. The charge associated with the lighting shall be determined by the department and approved by the board of commissioners and shall be posted and open for public inspection in the offices of the department and the clerk of the board. In the event of excessive vandalism to street lights within a street light district which results in the county being billed for repairs, the county may recoup those costs by adding those costs to the charge.

(Ord. of 2-27-79, § 10; Ord. of 6-23-81, § 4; Ord. of 7-26-83, § 3; Ord. of 6-10-86, § 6; Code 1977, § 3-23-33; Ord. of 7-27-95)

Sec. 106-162. Creation of district--Petition by lot owners.

(a) In unincorporated areas of the county that have a non-residential zoning classification and high levels of pedestrian traffic occurs or is expected to occur, a lot owner may present a request for the creation of a pedestrian light district to the director. Upon receipt of the request, the department shall determine the appropriate boundaries for a pedestrian lighting district which will serve the property(ies) presenting the request and neighboring lot owners. The department shall then prepare a plat showing this proposed pedestrian lighting district, and a petition for the creation of the proposed pedestrian lighting district shall then be circulated among the lot owners in the proposed district. That petition shall provide space for the lot owners in the proposed district to sign along with an attestation, showing whether it is their preference that the proposed district be created. Once a petition has been returned to the department, there shall be no changes in the preferences recorded thereon, and the petition shall clearly state the same. If 75 percent of the lot owners in the proposed district sign the petition approving the creation of the pedestrian lighting district, notices shall be posted in the proposed district stating that: "Notice: Cobb DOT has received a petition for the creation of a pedestrian lighting district. A public hearing is not required unless requested in writing by (date). For information call (telephone number)."

If such hearing is requested, the person requesting that hearing shall be notified of the date and time of the hearing, and a legal advertisement announcing the public hearing shall be published once in the official legal organ of the county at least ten days before conducting such public hearing. After the conclusion of any such hearing, the board shall determine whether or not to create the proposed pedestrian lighting district. Safety and economic factors shall be the prime consideration in making such determination. If there is no request for a hearing or if 100 percent of the lot owners have signed the petition, the pedestrian lighting district shall be created, upon approval of the board. The department will take no action on petitions with less than 75 percent of the lot owners' approval. (Ord. of 7-24-07)

(b) The petition for creation of the proposed pedestrian lighting district must be returned to the department within 90 days after it is obtained from the department; however, the director may, in his discretion, for good cause shown, extend the time for the return of the petition an additional 30 days, for a total of 120 days, when a request for such extension is made to the department before the expiration of the original 90 days. Where the initial petition is mailed by the department to the lot owner requesting the street light district, an additional three days shall be added to the 90 days to allow time for mailing. If the completed petition is returned to the department by mail, to be timely, the envelope must be postmarked indicating that it was mailed on or before the date due. In those cases where the due date falls on a weekend or legal holiday, the due date shall be the end of the next business day. Envelopes postmarked after the due date shall not be considered.

(Ord. of 7-24-07)

(c) Notwithstanding any provisions to the contrary set forth in paragraphs (a) and (b) of this Section, if a Community Improvement District ("CID") desires to create a pedestrian lighting district within the boundaries of the CID, a representative of the CID may present such request to the director of the department of transportation. The request shall include a copy of a resolution by the CID and certified minutes showing that the CID Board of Directors or governing body has duly adopted the resolution approving the creation of a pedestrian lighting district and the pedestrian lighting district's boundaries. Upon receipt of the request and the other documents, the department of transportation shall determine if the boundaries of the pedestrian lighting district are appropriate. If the boundaries are determined to be appropriate, the pedestrian lighting district will be created upon approval of the board of commissioners.

Additionally, notwithstanding any provisions to the contrary, including those set forth in Section 106-65 through 106-167 regarding costs, payments, and collections, when a pedestrian lighting district is created within a CID, the cost of providing and maintaining the pedestrian light service in the pedestrian lighting district shall be determined by agreement between the CID and the County. The charge associated with the lighting shall be determined by the department and approved by the board of commissioners and shall be posted and open for public inspection in the offices of the department and the clerk of the board. In the event of excessive vandalism to pedestrian lights within a pedestrian lighting district which results in the county being billed for repairs, the county may recoup those costs by adding those costs to the charge.

(Ord. of 2-27-79, § 10; Ord. of 6-23-81, § 4; Ord. of 7-26-83, § 3; Ord. of 6-10-86, § 6; Code 1977, § 3-23-33; Ord. of 7-27-95)

Sec. 134-1. Definitions.

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

Accessory building or structure means a building.....

Tee box means the collective area where all tees are to be located.

Temporary uses means specialized and intermittent uses of property such as animal shows, Christmas tree sales, commercial filming (limited), live entertainment, personal property sales, religious assemblies, retail sales (outdoor), street fairs and swap meets (nonrecurring), not to exceed 30 days or the time period set forth in these definitions, whichever is lesser. Adequate off-street parking shall be provided for all such uses.

Tent means a temporary or permanent structure.....

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Sec. 134-225. PSC planned shopping center district.  
Commencing January 1, 1998, no new applications for a Special Land Use Permit for Self-service Storage Facilities (SSSF) are to be accepted by the board of commissioners. The regulations for the PSC planned shopping center district are as follows:.....

(11) Special exception uses for regional activity center only. The following uses, with the proper scrutiny and conditions, may be considered as special exception uses within the PSC district, only if they are within properties delineated as regional activity centers as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any special exception use, for regional activity centers only, shall adhere to the landscape buffer and screening requirements in subsection (5) of this section.

a. Circuses and carnivals subject to provisions established in Sections 78-151 thru 78-167 of the Cobb County Code.

b. Hotel (suite). Any hotel in which more than .....

Sec. 134-226. TS tourist services district.

The regulations for the TS tourist services district are as follows:.....

(12) Special exception uses for regional activity center only. The following uses, with the proper scrutiny and conditions, may be considered as special exception uses within the TS district, only if they are within properties delineated as regional activity centers as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any special exception use, for regional activity centers only, shall adhere to the landscape buffer and screening requirements in subsection (5) of this section.

a. Circuses and carnivals subject to provisions established in Sections 78-151 thru 78-167 of the Cobb County Code.

b. Hotel (suite). Any hotel in which more than .....

Sec. 134-227. GC general commercial district.

Commencing January 1, 1998, no new applications for a Special Land Use Permit for Self-service Storage Facilities (SSSF) are to be accepted by the board of commissioners. The regulations for the GC general commercial district are as follows:.....

12) Special exception uses for regional activity center only. The following uses, with the proper scrutiny and conditions, may be considered as special exception uses within the GC district, only if they are within properties delineated as regional activity centers as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any special exception use, for regional activity centers only, shall adhere to the landscape buffer and screening requirements in subsection (5) of this section.....

d. Automobile and truck sales and service facilities (used or pre-owned separate from a new car dealership):

1. Minimum of one acre of a paved surface is required for parking of vehicles, excluding any area used for, but not limited to buildings, offices, service or sales area:
2. If any entity sells more than five cars per year, they are considered a dealer which requires a county business license.
3. A special land use permit is required as provided in section 134-37.
4. All vehicles are required to be parked off any right-of-way or easement.

e. Circuses and carnivals subject to provisions established in Sections 78-151 thru 78-167 of the Cobb County Code.

f. Coliseums, stadiums and convention centers (privately owned), with the following minimum requirements:.....

Sec. 134-228. - RRC regional retail commercial district.

Commencing January 1, 1998, no new applications for a Special Land Use Permit for Self-service Storage Facilities (SSSF) are to be accepted by the board of commissioners. The regulations for the RRC regional retail commercial district are as follows: .....

(3) Permitted uses. Permitted uses are as follows: .....

11) Special exception uses for regional activity center only. The following uses, with the proper scrutiny and conditions, may be considered as special exception uses within the RRC district, only if they are within properties delineated as regional activity centers as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any special exception use, for regional activity centers only, shall adhere to the landscape buffer and screening requirements in subsection (5) of this section.....

- a. Automobile and truck sales and service facilities (used or pre-owned separate from a new car dealership:.....
- b. Circuses and carnivals subject to provisions established in Sections 78-151 thru 78-167 of the Cobb County Code.
- c. Hotel (suite). Any hotel .....