

ARTICLE V. ECONOMIC DEVELOPMENT*

*State law references: Redevelopment Powers Law, O.C.G.A. § 36-44-1 et seq.; Urban Redevelopment Law, O.C.G.A. § 36-61-1 et seq.; Development Authorities Law, O.C.G.A. § 36-62-1 et seq.

Sec. 2-166. Definitions.

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

Comprehensive plan means the Cobb County Comprehensive Plan: A Policy Guide.

Development incentive district means a targeted area defined in the comprehensive plan for economic development incentives.

Economic impact requirement means that a target business shall generate sufficient county governmental revenues to meet or exceed the financial value of incentives.

Rehabilitation shall mean projects where the existing structure and the value of the proposed improvement exceeds the value of the land by a ratio of five to one.

Target business means a preferred business or industry type as identified by standard industrial classification codes under the incentives plan or a special impact project of such magnitude as may be identified by the board of commissioners.

(Ord. of 8-24-93; Code 1977, § 3-9.8-2; Ord. of 1-11-00)

Cross references: Definitions generally, § 1-2.

Sec. 2-167. Office of economic development established; duties.

(a) In order to promote and develop quality growth, the board of commissioners hereby establishes an office of economic development, which shall report to the county manager.

(b) The office of economic development shall have the following duties:

(1) Establish and update every year an incentives plan for the implementation of development incentives to provide for quality, controlled growth, retention, redevelopment, and rehabilitation of targeted county businesses.

(2) Establish a seven-member advisory committee, which shall be responsible for making recommendations for the incentives plan. Five members shall be appointed by the board of commissioners, with each board member having one appointee who shall serve at the pleasure of the appointing board member. Additionally, there shall be two members appointed at large by the following groups:

- a. Cobb Municipal Association.
- b. Cobb Chamber of Commerce representative.

(3) Develop, in conjunction with the planning commission, for the board of commissioners' consideration and adoption, with such amendments as may be deemed necessary from time to time, a development incentive district component to the county comprehensive plan.

(4) Coordinate with local, state and federal agencies and other businesses and organizations to encourage new business development, redevelopment and retention of existing business.

(5) Develop an inventory of prospective properties contained within the district.

(6) Prepare an analysis of the economic impact of a target business and solvency report.

(7) With the concurrence of the county manager and chairman of the board of commissioners or his designee, be authorized to offer incentives pursuant to targeted businesses in accordance with the incentives plan.
(Ord. of 8-24-93; Code 1977, §§ 3-9.8-1, 3-9.8-3)

Sec. 2-168. Development incentives district plan.

(a) The office of economic development shall develop an incentives plan as a part of the comprehensive plan, which shall be adopted in the method prescribed by the board of commissioners for the adoption of amendments to this Code.

(b) Subject to the restrictions set forth in section 2-170, areas for incentives which may be offered to a target business are as follows:

- (1) Development impact fees.
- (2) Plan review fees.
- (3) Water system development fees.
- (4) Business license fees.
- (5) Financing of sewer system development fees.
- (6) Freeport tax exemption.
- (7) Redevelopment zones pursuant to O.C.G.A. § 36-44-3.
- (8) Water/sewer user charges.

- (9) Building permit fees.
- (10) Job Training Partnership Act funds.
- (11) Georgia Job Tax Credit Program (O.C.G.A. §§ 48-7-40, 48-7-40.1 and 36-62-5.1).

(Ord. of 8-24-93; Code 1977, § 3-9.8-4)

Sec. 2-169. Eligibility for incentives.

At a minimum, a target business shall meet the following criteria:

- (1) No incentive shall be offered or made available to any target business which will not add at least 25 new jobs and an estimated annual economic impact of \$500,000.00 to the county.
- (2) A target business shall be required to establish financial solvency such that it can demonstrate an ability to meet the economic impact requirement as set forth in subsection (1) of this section.
- (3) A targeted business shall consent to enter into a contractual agreement that outlines incentives offered to the business and a guideline for the recapture or reimbursement should the terms of the contract be violated by the target business.
(Ord. of 8-24-93; Code 1977, § 3-9.8-5)

Sec. 2-170. Incentive recapture provision.

Should any incentive offered by the board of commissioners under this article be determined to be illegal, unenforceable or invalid, then the recipient, or his successors, heirs or assigns, agrees to promptly reimburse the county. Any applicant which receives or participates in any incentive offered under this article agrees not to relocate or be annexed for the period for which the incentive is granted and the incentive value is recaptured. Should an applicant or his successors violate the above provision, then such applicant shall immediately reimburse the county for the value of any incentive received under this article.

(Ord. of 8-24-93; Code 1977, § 3-9.8-6)

Secs. 2-171--2-190. Reserved.