



# Application for Business Zoning Verification & Certification

**Zoning verification for a specific property confirms its zoning classification and determines if a proposed use is allowed by the City of Duluth Unified Development Code. Such verification is required prior to applying for an Occupational Tax Certificate (business license). Please ensure that your business activity is an allowed use prior to signing lease agreements or commencing any other type of business establishment activity. Any such zoning approval is based on current regulations as of the certification date and is subject to change. The approval of the zoning inspection for the Occupational Taxes does not constitute a legal nonconforming use. See Application Process Terms.**

## Owner/Applicant Information

Name of Business Owner/Applicant: \_\_\_\_\_ Today's Date: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## Business Information

Name of Business: \_\_\_\_\_ d/b/a (if applicable): \_\_\_\_\_  
Business Address: \_\_\_\_\_ Parcel ID Number: \_\_\_\_\_  
Is this a change in Use or Occupancy for this address? \_\_\_ NAICS Code: \_\_\_\_\_ (required, see table to verify.)  
Is this a Home Occupation? No \_\_\_\_\_ Yes \_\_\_\_\_ (if yes, a *Home Occupation Affidavit* is also required for submission)  
Total Square Footage of Business: \_\_\_\_\_ Will this business serve alcohol? \_\_\_\_\_  
Check if any of the following apply: Church/Non Profit \_\_\_\_\_ Exempt Business \_\_\_\_\_ Regulatory \_\_\_\_\_  
Description of Business Activity– (be as **specific** as possible). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Anticipated Begin Date in Duluth: \_\_\_/\_\_\_/\_\_\_ *Please note: Zoning verification may take 1-3 business days*

I, the applicant, understand that I am required to conform to all applicable requirements of the Unified Development Code for the City of Duluth and all other relevant laws and ordinances that may apply to the above proposed property use description. I am aware that uses in zoning districts are subject to change, and hereby acknowledge that this certification is valid for a 30-day period.

\_\_\_\_\_  
Signature Business Title Date

**Official Use Only**

Address within the City Limits? \_\_\_\_\_ Address tied to parcel? \_\_\_\_\_ Zoning District: \_\_\_\_\_  
Is the Use allowed? \_\_\_\_\_ Stormwater Regulations (*if any*): \_\_\_\_\_  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
Official Action:  Approve  Deny Reviewed by: \_\_\_\_\_ Date of Official Action: \_\_\_/\_\_\_/\_\_\_

## Application Process Terms

### Home Business

Home-based businesses are allowed in City limits if the home merely serves as the base of operations and the activity does not create any traffic or noise, does not involve customers at the home, and there are no identifying signs. The use of residential property for business purposes requires the completion of the home occupation affidavit. Please review the customary “home occupation affidavit” for additional restrictions on home businesses, and note that some residential properties may have further restrictions under homeowner association covenants or apartment leases.

### Changes of Use/Occupancy

Change of Occupancy/Use: When the new business is a different *type* of business from the previous tenant occupying the location. Example: If an industrial business becomes a retail establishment or if a retail space becomes a restaurant. Different types of retail, such as a shoe store closing and a jewelry store opening in the same location would NOT be a change of use. Changes in use or occupancy may require permits and/or new CO's.

Legal Non-Conforming Use: A business that is legally operating in a zoning district that does not allow that particular use because of a change in the UDC. A business must be open and operating to be “grandfathered”. If the location becomes vacant for 90 days or more, the legal non-conforming status ceases. A business that has an application approved but has not opened has no such grandfathered entitlement if the UDC changes and prohibits the use.

### NAICS Code

The North American Industry Classification System (NAICS) classifies business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. economy. The NAICS industry codes define establishments based on the activities in which they are primarily engaged, and is what the City of Duluth uses to determine appropriate activity in each property zoning classification.

### Church/Non-profit

The City of Duluth requires registration for all types of business or non-commercial activity in commercial spaces whether or not occupational taxes are due. This information is collected annually as it often affects other nearby land use activities (such as alcohol sales, etc.). Documentation is required in order to waive administrative fees.

### Exemption Certificate

The City of Duluth bases Occupational Tax amounts due by gross receipts of a business location. If you believe that your business is exempt from paying occupational taxes (such as businesses who have more than one physical location in Georgia), please obtain and complete the application for an occupational tax exemption certificate. A \$50 administrative fee is required.

### Regulated Occupations

The City of Duluth allows certain regulated occupations as defined by Sec 7.25.11 of the Duluth Code of Ordinances. In addition to or possibly in lieu of an occupational tax certificate, these businesses may be required to obtain a regulatory permit from the City. Examples of regulatory activities are the operation of billiard rooms, massage establishments, pawnshops, precious metals dealers, adult entertainment establishments, and door-to-door salespersons (solicitors). O.C.G.A. § 48-13-9 gives further examples of businesses or practitioners of professions or occupations which may be subject to regulatory permit fees.

Most regulated businesses require completion of activity-specific applications rather than standard application forms. In addition to obtaining a business license, tattoo and body piercing studios are not regulated, but must be inspected and receive certification from the health department.



# Affidavit City of Duluth Customary Home Occupation

The definition of “Customary Home Occupation” as published in Section 345 of the Unified Development Code:

*An occupation, service, profession, or enterprise conducted entirely within a dwelling and which is carried on by a resident thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes.*

A home occupation is designed to be more restrictive than an occupation, service, profession or enterprise within a non-residential zoning district so that the area’s residential character is sufficiently preserved and protected.

1. Description of the business, services/products offered and method of delivery and what activities will take place at the residence:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- |   |                  |
|---|------------------|
|   | Initial<br>_____ |
| 2. The home occupation shall be conducted entirely within a dwelling unit and only by occupants of the dwelling unit.   | _____            |
| 3. No clients or patrons may be served on the property.   | _____            |
| 4. No more than 25% of the total heated floor area of the residence or 500 square feet, whichever is less, may be used for conducting the home occupation. Please give square footage: _____  | _____            |
| 5. No employees other than residents of the dwelling unit shall be permitted. Please attach a list of all persons associated with the business and confirm that each person resides at this address. If there are different last names, you must attach documentation that they reside at this address.   | _____            |
| 6. No more than one home occupation is allowed in a residence at a time.  | _____            |
| 7. The dwelling must be the bonafide residence of the principal practitioner at the time of the application and the home occupation shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting business, and has a current business license.   | _____            |
| 8. There shall be no exterior evidence of a business being conducted on the premises. No outside storage or display shall be allowed including signs.   | _____            |
| 9. One business vehicle used exclusively by the resident is permitted. Panel trucks shall not be permitted. The business vehicle shall be no larger in size than a pick-up truck or van and not have a carrying capacity over 1 1/2 tons. The business vehicle shall not have business identification (signs) on it when it is parked at the premises and will not have any equipment used in the business left on the business vehicle in a manner that can be seen from the surrounding property. The business vehicle must be parked in a driveway, garage, or carport. No trailers are permitted. | _____            |
| 10. The conduct of the home occupation shall neither increase the normal flow of traffic nor shall it increase normal on-street or off-street parking.  | _____            |
| 11. No equipment may be utilized or stored in the conduct of the home occupation except that which is normally used for purely domestic or household purposes. Said items may only be those used on the premises or incidental supplies necessary for and consumed in the conduct of the home occupation. Samples, however, may be kept on the premises but neither sold nor distributed from the residence.  | _____            |
| 12. Offensive noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable effects shall not be permitted.  | _____            |

*I have read, understood, and initialed the aforementioned items to the best of my knowledge. If I am found to have misrepresented myself on this affidavit or the attached application, I am aware that I may be found to be in violation of the City Code and run the risk of being issued a citation for violation of Article 3 and 6 of the Duluth Zoning Ordinance.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Business Title

**BUSINESS DESCRIPTION/ACTIVITY – NAICS CODES/TAX CLASS CATEGORIES**

<b>Construction and Contractors</b>		
2213.2	Water Treatment (SOS)	Water, Wastewater, Sewage Treatment Operators
22822.2	HVAC Contractor (SOS)	Conditioned Air Contractor
2360.2	Building Construction	Construction, Renovations, Maintenance, Handyman
23611.2	General Contractor (SOS)	General and Residential Contractors
2370.3	Heavy Construction	Land Subdivision, Highway, Street, Bridge
2371.3	Utility Construction (SOS)	Water and Sewer Lines, Oil and Gas Pipes, Power and Communication Lines Construction
2380.2	Specialty Contractor	Concrete, Structure, Framing, Mason, Roof, Siding, Deck, Lighting, Special Installation, Pool Construction
23821.2	Electrician (SOS)	Electrical Contractors, Low Voltage Contractors
23822.2	Plumber (SOS)	Plumbing Contractors, Plumbers
2383.2	Finishing Contractor	Drywall, Insulation, Painting, Flooring, Window, Trade Show Display
<b>Manufacturing</b>		
3100.1	Manufacturing	Food, Textile, Clothing, Apparel
3200.3	Manufacturing	Wood, Paper, Printing, Metal Fab., Pesticides, Paint, Chemical, Plastic, Cement
3330.5	Manufacturing	Heavy Machinery
3340.4	Manufacturing	Electrical or Medical Machines and Devices, Prosthetics, Audio Equipment, Dental/Medical Labs
<b>Wholesale</b>		
42.1	Wholesale	Durable Goods, Software, Clothing, Apparel
42.2	Wholesale	Machinery
42.3	Wholesale	Audio/Video Dup, Testing Equip, Printer Parts
42.4	Wholesale	Stone, Clay, Glass, Granite, Cabinets ( Natural Goods) Petroleum
42.5	Wholesale	Flooring & Janitorial Supplies
<b>Retail Trade</b>		
44111.1	New Auto Dealer	NEW Car, RV, Motorcycle, Boat, Golf Cart, & Other Motor Vehicle Dealers
44112.1	Used Auto Dealer (SOS)	USED Car, RV, Motorcycle, Boat, Golf Cart, & Other Motor Vehicle Dealers
4413.2	Auto Parts, Tire Stores	Automotive Parts, Accessories, Tire Stores
4420.2	Home Furnishing Store	Furniture, Floor Cover, Window/Glass, Linen, Lamp, Picture Frame, Mattress
4431.2	Electronic & Appl. Store	Electronic & Appliance Stores
4441.1	Building Material Store	Home Centers, Paint, Wallpaper, Hardware Stores, & Other Material Suppliers
4442.1	Lawn & Garden Store	Lawn & Garden Equipment & Supply Stores
4450.1	Food and Beverage Store	Grocery, Butcher, Market, Package Store, Bakery
44611.1	Pharmacists (SOS)	Pharmacists, Pharmacies & Drug Stores
44612.2	Beauty Store	Cosmetics, Beauty Supplies, & Perfume Stores
44613.2	Optical Goods Retail	Eyeglass Dealer, Dispensing Opticians
44618.1	Health Supplement Shop	Nutrition, Vitamins, Workout Supplements, Herbs
44619.1	Medical Equipment Retail	Prosthetics, Medical Equipment
446199.1	Hearing Aid Dealer (SOS)	Hearing Aid Dealers, Dispensers, and Stores
4471.2	Gas Station	Gas Stations
4481.2	Clothing Retail	Clothing Stores and Related Accessories
4482.2	Shoe Retail	Shoe Stores
4483.2	Jewelry Retail	Jewelry, Precious Metals
4511.2	Specific Merchandise	Music Instruments, Sporting Goods, Hobby, Book, Music, Home/Car Audio, Tobacco
4520.2	General Merchandise	Department Stores, Warehouse Clubs, Supercenters, Dollar General, Trading Post
4530.1	Miscellaneous Retail	Florists, Office Supplies, Gift, Novelty, Used Merchandise, Pet Stores, Art Gallery
4541.3	Online & Home Shopping	Electronic Shopping, Mail-Order, Television Network Shopping
4543.5	Direct Selling	Door-to-Door Sales & Related Activities

<b>Transportation and Warehousing</b>		
4811.1	Transport, Logistics	Freight, Hauling, Logistics, Distribution Service
4853.2	Taxi & Limo Service	Taxi & Limousine Services
4921.1	Courier, Delivery	Shipping, UPS, FedEx, & Related Courier/Delivery Services
4931.1	Warehouse	Industrial Warehouse

<b>Information, Publishing, Recording</b>		
5111.4	Publishers, Print	Newspaper, Periodical, Book, Directory Publishers, Print Shops
5112.4	Software Publisher	Software Publishers
5121.3	Audio/Video production	Production, Editing
5122.4	Sound Recording	Sound Recording, Audio Producers
5151.5	Radio & TV Broadcasting	Radio Networks, Television Broadcasting
5170.5	Telecommunication	Wired, Wireless, Satellite, Dial Up Communications, Internet Providers
5182.3	Data Services	Data Processing, Hosting, & Related Services

<b>Finance and Insurance</b>		
5222.5	Non-deposit Credit	Sales Financing, Consumer Lending, & Other Related
5223.5	Other Credit Interm.	Mortgage & Loan Brokers, Check Cashing
5230.5	Investment Activities	Investment Banking, Securities & Commodity Brokers & Dealers, Portfolio Management, Investment Advice
5241.2	Insurance Underwriter	Insurance Underwriter
5242.5	Insurance Agencies	Insurance Agencies, Brokerages, & Other Insurance Related Activities

<b>Real Estate and Rental and Leasing</b>		
5311.5	Real Estate Lessor	Lessor of Buildings, Dwellings, Property, Self-Storage Units
5311.6	Real Estate Investment	Real Estate Investment, Real Estate Developers
5312.5	Real Estate Office	Offices of Real Estate Agents and Brokers
5313.5	Real Estate Activities	Property Managers, Appraisers, Listings, Escrow
5321.2	Auto Rental & Leasing	Automobile Rental & Leasing
5322.3	Consumer Goods Rental	Consumer Goods, Party Equipment, Formal Wear, Videos, Rental Centers
5324.2	Heavy Machinery Rental	Commercial and Industrial Machinery and Equipment Rental and Leasing

<b>Professional, Scientific, and Technical Services</b>		
5413.3	Interior Design (SOS)	Interior Design
5414.3	Graphic Design	Graphic Design, Business Signs, Business Cards
5415.3	Computer System Design	Computer Programming, Engineering, Web Design, Networking, Software Development
5416.3	Consulting Services	Consultants
5418.1	Sales Representative	Manufacturing Sales Representative
5418.3	Advertising, Marketing,	Advertising, Public Relations, Marketing, Sales
5419.3	Pro, Sci, Tech Service	Photography, Video, Survey Conducting, & Industrial Design (Car Lots)
5419.4	Language Translator	Translations & Interpretation Services

<b>Management of Companies, Holding Companies</b>		
5511.6	Management of Company	Holding Companies, Corporate, Subsidiary, & Regional Offices

<b>Administrative, Support, Waste Management, Remediation Services</b>		
5613.5	Employment Services	Employment Placement, Temp Agency, Outsourcing & Other Related Services
5614.3	Business Support	Document Prep, Call Center, Collection Agency, Billing, Repossession, Payment Processing, Credit Agency, Subscription Fulfillment
5615.1	Travel Services	Travel Agencies, Tours, Reservations, & Related Services
56161.3	Investigation (SOS)	Private Detective, Security Guard, Patrol Services
56162.3	Locksmith, Alarms	Security System, Locksmith Services, Fire Protection
56171.3	Pest Control	Exterminating & Pest Control Services
56172.3	Janitorial Services	Janitorial, Maid Services
56174.3	Carpet Cleaning	Carpet & Upholstery Cleaning Services
56179.3	Service to Buildings	Exterior Building Cleaning, Pressure Washing, Swimming Pool Service
5619.1	Trade Show Management	Managers, Organizers, Promoters of Trade Shows and Similar Events
26199.6	Auctioneers (SOS)	Estate Sales, Auctioneers
5620.3	Waste Management	Waste Collection, Remediation, Septic Tank, Grease Trap Cleaning

<b>Educational Services</b>		
61110.3	Elem & Secondary Edu.	Montessori, Private, Religious, Elementary & Secondary Schools
6112.3	Job Training Programs	Online, Educational, Employment, Certification
61161.5	Fine Arts Education	School - Art, Ballet, Dance, Drama, Music, Performing Arts, & Related Activities
61162.3	Sport, Rec Instruction	Sports Instruction, Horse Riding
61163.3	Language Schools	Language Schools
611691.3	Tutoring	Exam Preparation & Tutoring
611692.3	Auto Driving School	Automobile Driving School
611699.5	Misc. Instruction	CPR, Self Defense, Martial Arts, Yoga
6117.3	Education Support	Educational Support Services

<b>Health Care and Social Assistance</b>		
6214.5	Outpatient Care Centers	Family Planning, Health, Dialysis, Clinics, Laboratory
6216.5	Home Health Care	Home Health Care Services
6220.5	Hospitals	General Medical, Surgical, Specialty Hospitals
6231.5	Nursing Care (SOS)	Nursing Care, Residential Care, Retirement Home, Hospice, Nursing Home Administrators
6241.2	Social Assistance	Child, Youth, Elderly, Individual, Family Social Assistance & Food Banks
6244.2	Child Day Care Service	Child Day Care Services

<b>Arts, Entertainment, and Recreation</b>		
7111.3	Performing Arts Company	Theater, Dance, Music, and Other Performing Arts Companies
7112.3	Athletic Trainer (SOS)	Athletic Trainers
7113.3	Event Promoters	Concert, Performing Arts, Sports Promoters
7114.4	Talent Agents (SOS)	Agents & Managers for Athletes, Entertainers, Artists, & Other
7115.4	Artists & Writers	Artists, Writers, Performers, Producers
7121.3	Museums & Similar Ins.	Museums, Historical Sites, Botanical Gardens, & Similar Institutions
7139.5	Amusement & Recreation	Golf Course, Gym, Fitness & Recreation, Ballroom

<b>Food Services</b>		
7221.2	Full-Service Restaurant	Full-Service Restaurants
7222.2	Limited-Service Eating	Fast-Food, Carryout, Drive-in, & Related Services
72232.1	Caterers	Caterers
72233.2	Mobile Food Service	Beverage Stands, Lunch Wagons, Street Vendors (Except Ice Cream)
72233.2R	Ice Cream Vendor	Hand Pushed Ice Cream Carts, Ice Cream Trucks
7224.5	Karaoke Food Service	Restaurants with Karaoke
<b>Other Services</b>		
8111.2	Auto Maintenance	Auto Repair, Detailing, Paint Shop, Car Wash, Oil/Lube, & Related Auto Activities
8112.4	Ink and Printer Service	Laser Cartridge Sales/Service
8113.2	Non-Automobile Repair	Repair and Maintenance of Machinery, Equipment, Electronics, Appliance, Furniture, Alterations, Upholstery
81211.3	Hair, Nail, Skin Care (SOS)	Barber, Beauty, Nail Salons, Cosmetologist
81219.5	Other Personal care (SOS)	Massage Parlor, Tanning Salon, Spa & Weight Loss Centers
8122.3	Death Care Service (SOS)	Funeral Homes & Services, Cemeteries & Crematories
8123.3	Dry Cleaning & Laundry	Dry Cleaning & Laundry Services
8129.3	Other Personal Services	Pet Care (except Vet), Psychic, Party Planning, & Related Services
8130.1	Civic Organizations	Booster Club, Charitable Organizations, Nonprofits, Churches

<b>Professionals**</b>		
P2354.4	Construction Consultant	Construction Consultant
P5239.5	Financial Services	Financial Services, Market Investment Advisory
P54111.4	Lawyers	Offices of Lawyers
P54119.3	Other Legal Service	Notary, Paralegal, Process Server
P54121.4	Accountants (SOS)	Accounting Services
P54131.4	Architect (SOS)	Architectural Services
P54132.4	Landscape Architect (SOS)	Landscape Architects
P54133.4	Engineer (SOS)	Engineering Services
P54137.4	Land Surveying (SOS)	Surveying and Mapping Services
P54171.5	Research & Development	Research and Development for Medical, Physical, Engineering, and Life Sciences
P54194.3	Veterinarian (SOS)	Veterinary Services
P56173.3	Landscaping Services	Landscaping Services, Tree Removal
P6117.4	Educational Services	Educational Services
P6211.5	Medical Doctor	Medical Doctors
P6212.5	Dental Office (SOS)	Dentists
P62131.5	Chiropractor (SOS)	Chiropractic Examiners
P62132.5	Optometrists (SOS)	Optometrists
P62133.5	Mental Health (SOS)	Psychologist, Professional Counselors, Social Workers, and Marriage/Family Therapists
P62134.5	Therapists (SOS)	Offices of Physical, Occupational, & Speech Therapists, & Audiologists
P62138.5	Dietitians (SOS)	Dietitians
P62139.5	Podiatrists (SOS)	Podiatrists
P621399.5	Nurses (SOS)	Licensed Practical Nurses, Registered Nurses

(SOS) denotes business activities that are required to obtain state licensure from the Georgia Secretary of State. Evidence of such licensure is necessary prior to issuance of a City of Duluth Occupational or Regulatory Tax Certificate.

\*\*Business Codes starting with a P are eligible for the "Flat Fee" method of payment for Occupational Taxes. Please see the application for more information.