

AN ORDINANCE

AMENDING, the Comprehensive Development Code of the City of Marietta.

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

Section 1: Division 712, Supplementary Use Regulations, Section 712.04 Home Occupations, Paragraph C. is hereby amended as follows:

C. *General Provisions and Prohibited Uses.*

All home occupations shall meet the following:

1. A home occupation shall be incidental and accessory to the use of a dwelling as a residence. No more than 750 square feet, 25% of the floor space of the dwelling unit, whichever is less (including attached garages) may be used for the occupation.
2. There shall be no exterior evidence of the home occupation or alteration of the residence and/or accessory buildings to accommodate the home occupation. Internal or external changes which will make the dwelling appear less residential in nature or function are prohibited. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks, or adding commercial-like exterior lighting. Any alteration or addition which expands the floor area of the principal structure dedicated to the home occupation use shall void the existing business license and require a new business license be obtained, subject to property compliance verification by the Department of Development Services. For Type B home occupations a new public hearing must be held for the rights associated with the Special Land Use Permit to be reestablished.
3. There shall be no outside operations or exterior storage of inventory or materials to be used in conjunction with a home occupation.
4. Off-site employees shall not congregate on the premises for any purpose concerning the home occupation nor park their personal vehicles at the location.
5. No article, product or service used or sold in connection with such activity shall be other than those normally found on the premises.
6. No more than one vehicle associated with the home occupation may be parked at the site. Such vehicle is limited to 1½ ton carrying capacity and must be used exclusively by the resident and parked on a valid improved surface.
7. No use or activity may create noise, dust, glare, vibration, smoke, smell, electrical interference or any fire hazard.
8. All home occupations shall be subject to periodic inspections by the Department of Development Services.
9. Any type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, marine engines, lawn mowers, chain saws and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to automobiles and their parts is prohibited.
10. Group instruction, assembly or activity shall be prohibited.

11. Alcohol manufacturing for commercial sale shall be prohibited as a home occupation.
12. Accessory home occupations may not serve as headquarters or dispatch centers where employees come to the site and are dispatched to other locations.
13. The Department of Development Services must approve all business licenses for home occupations.

Section 2: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses, and phrases are severable and if any section, paragraph, sentence, clause, or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

Section 3: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

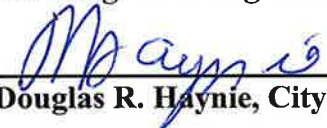
Section 4: This Ordinance shall be effective upon signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:



Shelby Little, MCP
Planning & Zoning Manager

Approved as to Form:




Douglas R. Haynie, City Attorney

Approved by City Council:

DATE: June 10, 2026

APPROVED:



R. Steve Tumlin, Mayor

ATTEST:



Stephanie Guy, City Clerk



MEMORANDUM

TO: Honorable Mayor, City Council Members, Planning Commissioners

THROUGH: Bill Bruton, City Manager
Daniel Cummings, Acting Director of Development Services

FROM: Shelby Little, Planning & Zoning Manager

SUBJECT: Proposed changes to Home Occupation Ordinance (Sec. 712.04)

DATE: May 12, 2026

BACKGROUND: The portion of the Zoning Ordinance that addresses home-based businesses is Section 712.04, Home Occupations, and stipulates that home occupations must remain incidental and subordinate to the primary residential use of a dwelling to protect the character and livability of the surrounding neighborhood. The existing code distinguishes between Type A occupations, which are limited to residents and prohibit all onsite customers or employees, and Type B occupations, which may include limited visitation and one non-resident employee subject to a Special Land Use Permit from City Council. Other restrictions include having no outward indication of business operations (signage, exterior storage, etc.) and limiting 25% or 750 square feet of the interior area devoted to the business. Certain businesses, such as automobile or machinery repair, restaurants, and personal services, are not eligible for a home occupational license.

ISSUE: Recently a property owner applied for a Type A home occupational license to manufacture mead/wine for commercial sale offsite. Although not a violation of any listed regulations, residents in the surrounding neighborhood expressed concerns with this activity in a residential area. To address this potential concern in the future, staff has prepared an amendment that would make alcohol manufacturing ineligible as a home occupation. The attached draft also contains a few minor corrections.

ATTACHMENT: Draft Strikethrough of Section 712.04, Home Occupations