

RESOLUTION NO. 2022-__
A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
BEN HILL COUNTY, GEORGIA TO AMEND
SECTIONS 4 THROUGH 6 OF APPENDIX B OF THE BEN HILL COUNTY CODE OF
ORDINANCES

WHEREAS, the Ben Hill County Board of Commissioners desires to amend the County’s zoning code to address discrepancies between the current code and the current zoning map and other issues;

WHEREAS, in 2021, the Ben Hill County Board of Commissioners intended to revise its zoning code but to allow the continued use and zoning restrictions of certain residential property already in existence;

NOW, THEREFORE, BE IT RESOLVED by the Ben Hill County Board of Commissioners to delete the definition of “Guest or servant quarters” in Section 2-1 of Appendix B of the Ben Hill County Code of Ordinances and replace it with the following:

SECTION 2. DEFINITIONS

For the purposes of this ordinance, certain terms or words used herein shall be defined as follows:

Sec. 2-1. Interpretation of certain terms and words.

“Guest or worker quarters.” A detached, subordinate building, located within the rear yard, designed to provide living accommodations for either workers in the employment of the property owner or guest facilities. Guest or worker quarters shall not exceed 75 percent of the principal dwelling size. Guest or worker quarters shall be no less than the minimum residential dwelling unit for the respective zoning district.

BE IT FURTHER RESOLVED by the Ben Hill County Board of Commissioners to delete Sections 4 through 6 of Appendix B of the Ben Hill County Code of Ordinances and replace them with the following:

SECTION 4. ZONING DISTRICTS

Sec. 4-1. Establishment of districts.

In order that the purposes of this ordinance as defined in section 1 may be accomplished, there are hereby established within Ben Hill County, Georgia, zoning districts identified as follows:

- 4-1.1. *Gf general farming*. The purpose of this district is to permit agricultural uses, to encourage the maintenance of the rural countryside, to preserve forests and other undeveloped lands away from areas of population growth, and to allow residents to retain their traditional ways of life. The preferred land use in the district is agricultural, either active in the form of crops, or passive in the form of forest management or pasture lands. The GF district should be utilized as a land use designation where a more intensive use of the land is unlikely to occur in the near future. The requirements of the district are designed to encourage the maintenance of a rural character until more intensive development is feasible.
- 4-1.2. *R-R rural residential*. The purpose of this district shall be to allow for residential development on lots of one acre in appropriate areas designated in the comprehensive plan in unincorporated Ben Hill County. With health department approval, such districts may use individual water supply and sewerage disposal systems. Minimum gross floor area per dwelling unit in this district shall be a minimum of 800 square feet.
- 4-1.3. *R-1 single-family residential*. The purpose of this district is to provide single-family residential areas with minimum lot sizes of one acre (43,560 square feet), said areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of these uses which are incompatible to a desirable residential environment. With health department approval, such districts may use individual water supply and sewerage disposal systems. Minimum gross floor area per dwelling unit in this district shall be a minimum of 1,200 square feet.
- 4-1.4. *R-22 single-family residential*. The purpose of this district is to provide single-family residential areas with minimum lot sizes of 22,000 square feet, said areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of those uses which are incompatible to a desirable residential environment. Consideration for designation for the district requires a minimum of public water service.
- 4-1.5. *M-R multiple residential*. The purpose of this district is to provide orderly development of higher density residential areas for one, two, three and multifamily dwellings, with minimum lot sizes of 6,000 square feet, said areas being protected from the encroachment of those uses which are incompatible to a desirable residential environment. Consideration for designation for this district requires a minimum of public water and public sewer service.
- 4-1.6. *M-H-P manufactured housing park*. The purpose of this district is to provide for the development of property that is suitably located and planned for manufactured housing park use. Property developed in this district is to remain in single ownership for rental or leasing purposes only. Manufactured housing parks shall be developed only in strict accordance with the manufacturing housing park provisions of this ordinance.
- 4-1.7. *P professional*. The purpose of this district shall be to create an area in which residential, professional, educational, and institutional uses can be compatibly mixed while maintaining a healthful living environment for the residents of the district and at the same time preventing the development of blight and slum conditions. The minimum lot size in this district shall be 6,000 square feet.
- 4-1.8. *C-C community commercial*. The purpose of this district is to provide for and protect areas that can accommodate a variety of sales and services that are commonly needed by the Ben Hill County citizens.
- 4-1.9. *G-B general business*. The purpose of this district shall be to provide for and encourage the proper grouping and development of uses which include a wide variety of sales and services that will best accommodate the needs of the county and the traveling public in order to reduce highway traffic congestion, traffic hazards, and blight along the public streets and highways of the county.
- 4-1.10. *WLI wholesale-light industrial*. The purpose of this district shall be to provide and protect areas for those wholesale and light industrial uses which do not create excessive noise, odor, smoke, dust, and which do not possess other objectionable characteristics which might be detrimental to surrounding neighborhoods, or to the other uses permitted in the district.

4-1.11. *H-I heavy industrial.* The purpose of this district shall be to provide and protect areas for those industrial uses which cannot comply with the regulations of the WLI district.

R-15, R-9, R-6, and R-6-M zoning classifications / districts were created by previous Ben Hill County Zoning ordinances and currently exist on the Official Zoning Maps of Ben Hill County, Georgia. As of the adoption of this resolution, and into the future, no parcels may be zoned in accordance with these districts / classifications as they no longer exist in Ben Hill County's future land use plan.

4-1.12 *R-15 single-family residential.* The purpose of this district is to provide single-family residential areas with minimum lot sizes of 15,000 square feet, said areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of those uses which are incompatible to a desirable residential environment.

4-1.13 *R-9 single-family residential.* The purpose of this district is to provide single-family residential areas with minimum lot sizes of 9,000 square feet, said areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of those uses which are incompatible to a desirable residential environment.

4-1.14 *R-6 residential.* The purpose of this district is to provide residential areas with a minimum lot size of 6,000 square feet, said areas being protected from uses which are incompatible to a desirable residential environment.

4-1.15 *R-6-M residential.* The purpose of this district is to create an area that, in addition to conventional housing, allows mobile homes as a matter of right in a conventional subdivision. Lots in this district must have a minimum of 6,000 square feet. These districts shall be protected from the encroachment of incompatible uses which are detrimental to a sound residential environment.

Sec. 4-2. Zoning map and major thoroughfare plan.

The boundaries of each district are shown on maps entitled "Official Zoning Maps of Ben Hill County, Georgia". The street classifications (local and collector streets and arterials) within Ben Hill County, Georgia are shown on the map entitled "Major Thoroughfare Plan, Ben Hill County, Georgia". The official zoning maps and major thoroughfare plan shall be dated and certified by the chairman of the county commission and the county clerk and said maps and all explanatory matter thereon accompanies and is hereby made a part of this ordinance.

Accurate copies of the "Official Zoning Maps of Ben Hill County, Georgia," and the "Major Thoroughfare Plan, Ben Hill County, Georgia", shall be on file in the office of the zoning administrator at all times. Said maps shall accurately show all map amendments made in accordance with the provisions of this ordinance. It shall be the duty of the zoning administrator to ensure that the "Official Zoning Maps of Ben Hill County, Georgia" and the "Major Thoroughfare Plan, Ben Hill County, Georgia", displayed in his office are kept up-to-date and accurately show all amendments.

Sec. 4-3. Interpretation of zoning district boundaries.

When uncertainty exists with respect to the location of boundaries of any zoning district as shown on the "Official Zoning Maps of Ben Hill County", the following rules shall apply:

4-3.1. Unless otherwise specifically indicated, where district boundaries are indicated on the zoning map as approximately following the centerline of a street right-of-way, highway, railroad right of-way line, stream bed, or riverbed; such centerlines shall be interpreted to be such district boundaries.

4-3.2. Boundaries indicated as approximately following platted lot lines shall be interpreted as following such lot lines.

4-3.3. Where district boundaries are indicated on the zoning map as approximately following the corporate limit lines, then such corporate limit lines shall be interpreted to be such district boundaries.

4-3.4. Where district boundaries are indicated on the zoning map as being set back from the centerline of a street right-of-way, road, highway, railroad, stream, or river, and parallel thereto, then such district boundaries, unless otherwise specifically indicated, shall be interpreted as being at the scaled distance from the centerline of such street, road, highway, railroad, stream, or river as being parallel thereto.

Sec. 4-4. Use interpretation.

The use provisions of section 5 of this ordinance shall govern the use of all properties, regardless of any inconsistency or conflicting provision of section 4.

R-15, R-9, R-6, and R-6-M zoning classifications / districts (red font) were created by previous Ben Hill County Zoning ordinances and currently exist on the Official Zoning Maps of Ben Hill County, Georgia. As of the adoption of this resolution, and into the future, no parcels may be zoned in accordance with these districts / classifications as they no longer exist in Ben Hill County's future land use plan.

SECTION 5. SCHEDULE OF PERMITTED USES

Sec. 5-1. Table of permitted uses.

Within the various zoning districts as indicated on the "Official Zoning Maps of Ben Hill County", no building, structure, or land shall be constructed, erected, altered, or used except as indicated in the following schedules:

- 5-1.1. *Uses permitted by right.* Uses permitted as a matter of right are indicated on the following schedule by the letter "X" in the appropriate column.
- 5-1.2. *Special exception.* Uses permitted only after special review and approval of the county commission are indicated on the following schedule by the letters "SE" in the appropriate column. Requests to approve a use by special exception shall be advertised, reviewed, and processed in the same manner as an amendment to the official zoning maps as described in section 14 - amendment.
- 5-1.3. *Uses not allowed.* Uses not specifically designated by an "X" or "SE" within the appropriate column are not allowed within the district.
- 5-1.4. *Conflict of use interpretation.* In the event of a discrepancy between the various provisions of this ordinance as relates to a particular use of land being allowed in a particular zoning district, section 5, schedule of permitted uses, shall govern.

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
1. Accessory buildings or uses	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2a. Animals, non-commercial keeping of horses as an accessory use to residential land uses, provided that in RR, zones: a) shall only be permitted on a lot containing not less than two acres; b) all buildings used to house the animals shall be set back not less than 150 feet from any property line; c) all animals shall be maintained at least 50 feet from any property line except property lines adjoining a GF zones; and d) there shall be not less than 30,000 square feet of fenced lot area not covered by the principal structure for each animal.	X	X													
2b. Animals, kennel, non-commercial, as an accessory use to residential land uses provided that: a) Minimum lot size of one acre (three acres in GF); b) All buildings used to house the animals shall be set back 150 feet from any property line.	X	SE													
2c Animals, kennel, commercial	SE														
3. Boarding or rooming house	X				X			X	X						

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
4. Church or other place of worship, including Sunday School buildings, parish houses, convents, nursery school, kindergartens (subject to developmental standards listed in use item # 19) and other related uses on the same premises and operated by the church provided that within R-R, R-1, R-22, MR, R-P, C-C, and G-B zones: a) Lot must front collector or arterial street; b) the lot size shall be no less than two acres; c) any building or structure established with any such use shall have minimum side and rear yards of 50 feet.	X	X	X	X	X		X	X	X			X	X	X	X
5. Dwelling, single-family	X	X	X	X	X	SE	SE					X	X	X	X
6. Dwelling, two-family (duplex) and dwelling, three family (Triplex)				X	X			SE				X	X	X	X
7. Garden, private	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
8. Dwelling, multi-family and residential group development projects	SE				X		SE	SE							
9. Family personal care home	X	SE	SE	SE			X	SE	SE						
10. Garage apartment, provided no more than one shall be permitted on a lot with the principal dwelling, and provided such shall be permitted only within the rear yard.	X	SE	SE									X	X		
11. Group personal care home, provided that: a) Minimum lot size of one acre in all zones b) Parking is restricted to rear and side yard and shall be screened per section 3-19.	SE							SE	SE			X	X		

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
12. Guest or worker quarters, provided no more than one shall be permitted on a lot with the principal building and provided such shall be permitted only within the rear yard. Within zones other than GF, the lot on which such use is to be established must be 50 percent greater in lot area than the minimum standard lot size for the respective district.	X	X	X				X								
13. Home occupation (See section 9-1)	X	X	X	X	X	X	X					X	X	X	X
14. Home business (See section 9-2)	X	X	X	SE								SE	SE	SE	SE
15. Manufactured home, individually sited, provided that: The manufactured home shall meet the same minimum square footage, setback, and yard requirements as any other single-family dwelling, and must be installed and anchored as per Georgia State minimum requirements, and properly underpinned or skirted within 45 days.	X	X				X							X		
16. Manufactured housing park, provided that: a) Access to manufactured housing parks shall be by paved street and shall directly abut an arterial or collector street as designated on the Major Thoroughfare Plan, Ben Hill County, Georgia; and, b) the manufactured housing park meets the requirements of section 9-4 of this ordinance	SE					X									

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
17. Public owned recreation centers, Y.M.C.A. and institutions of a similar nature	SE						X	X	X						SE
18. Schools, public or private - Pre-K through high school.	X	SE										SE	SE	SE	SE
19. Schools kindergartens, nurseries, and day care centers, provided that: a) Off-street loading and unloading spaces are supplied; and b) at least 100 square feet of outdoor play area is supplied for each child accommodated; and, c) the entire play area is enclosed by a steel mesh security fence with lockable gates approved by the building official or other substantial building material affording equal or better protection having a minimum height of at least four feet and constructed in such a manner that maximum safety to the children is ensured.	X						SE	SE	SE						
20. Tourist homes (Bed and Breakfast Inn & Air B&B)	SE	SE	SE				SE	X	X						
Business use															
21. Reserved.															
22. Ambulance service or rescue squad (private)	X						X	X	X						
23. Amusement or recreational activities (commercial), carried on outside a building such as a golf or baseball driving range, miniature golf course, softball field, and uses of a similar nature.	SE							X	X						
24. Amusement or recreational activities (commercial), carried on outside a building which	SE														

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
produces noise and/or noxious fumes, such as drag racing strips, racetracks, motorcycle races or ATV (all-terrain vehicle) courses, and uses of a similar nature.															
25. Amusement or recreational activities (commercial), carried on wholly within a building, such a cinema, theater, auditorium, venues and uses of a similar nature.	SE							X	X						
26. Animal hospital, veterinary clinic, or animal sheltering place, located at least 300 feet from the nearest residential district.	SE						SE	SE	SE						
27. Reserved.															
28. Art studio							X	X	X						
29. Automobile service station, provided that major auto repair shall not be permitted, nor shall there be outside storage of materials or equipment other than merchandise offered for sale in a C-C or G-B district.	SE							X	X						
30. Automobile, truck, farm equipment, or motorcycle sales, repair, or upholstery, auto washeteria, paint shops, or tire recapping, (including rebuilding of parts or sales of parts and equipment indoors only, no outside storage of equipment or parts except for WLI and H-I districts).									X	X	X				
31. Automobile parking lot or parking garage (Commercial)								SE	X						

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
32. Bait and tackle store; in GF, only when associated with resource-oriented amusement or recreational activity.	SE							X	X						
33. Banks, financial institutions, and offices not specifically listed elsewhere in this column.								X	X						
34. Bookbinding, printing, engraving, blueprinting, photo staving, or letter shop								X	X						
35. Building contractor and related activities and storage of building supplies and materials, provided that equipment and materials temporarily stored or displayed outside shall be completely enclosed by a suitable fence. No sawmill or planing mill operations shall take place on the premises within any district other than the H-I, GF district.	SE								SE		X				
36. Business schools (private)	SE						SE	X	X						
36a. Catering service	SE							X	X						
37. Clothing and dry goods stores, including shoe stores, men's shops, women's shops, variety stores and stores of a similar nature.								X	X						
38. Clubs or lodges (private)	SE						SE	X	X						
39. Colleges and universities	SE						SE	X	X						
40. Cultural facilities, libraries, museums, and similar facilities.	SE						X	X	X						SE
41. Dance school or studio	SE						SE	X	X						
42. Department stores								X	X						
43. Drive-in restaurants								X	X						
44. Drug stores							SE	X	X						

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
45. Electrical repair and similar repair of a heavy commercial nature.									X	X	X				
46. Electrical appliance repair, wholly contained within a building.								X	X	X	X				
47. Experimental laboratory	SE							SE	X	X	X				
48. Freight express office									X	X	X				
49. Farmers market	SE							SE	SE						
50. Farm supplies, including feed, seed, and insecticides, and fertilizer retail sales.	SE								SE	X	X				
51. Flower shop							SE	X	X						
52. Food stores, including retail bakeries, meat markets, dairy products, confectioner shops, and stores of a similar nature.							SE	X	X						
53. Funeral home	SE						SE	X	X						
54. Furniture upholstery shop								X	X	X	X				
55. Glass sales and storage - Wholly contained within a building.								X	X	X	X				
56. Golf course - Lighted	SE							SE	X						
57. Golf course, provided that: a) It shall be for daytime use only; and b) all greens and fairways shall be set back at least 100 feet from any exterior property lines; and structures shall meet minimum setback requirements for single-family residences within the respective district.	X	SE	SE					SE	SE			SE	SE	SE	SE
58. Reserved.															

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
59. Home furnishings and hardware, such as appliance sales, hardware stores, paint stores, sporting goods stores, furniture stores, and stores of a similar nature.								X	X						
60. Hospitals, nursing homes, care homes and congregate personal care homes, provided that: a) The lot size shall be no less than one acre within any district where allowed; and, b) any building or structure established with any such use shall have minimum side and rear yard of 50 feet; and c) the setback shall be 25 feet more than required for other structures within the same district; and, d) the lot upon which any hospital is built shall front on an arterial or collector street as specified on the Major Thoroughfare Plan	SE							SE	SE						
61. Hotels								SE	SE						
62. Laboratory serving professional requirements medical, dental							X	X	X						
63. Laundromat or washeteria								X	X						
64. Locksmith, gunsmith - Repairs and sales only.	SE							X	X						
65. Medical, dental, or similar clinic							X	X	X						
66. Motels								SE	SE						
67. Music teaching studio	SE						X	X	X						
68. Neighborhood dry-cleaning plants, laundry pick-up stations: a) The dry-cleaning plant and its operation shall								SE	SE						

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15	
meet the requirements of the National Fire Protection Association (NFPA) and the Underwriters Laboratories, Inc.; and, b) the dry-cleaning plant shall serve not more than one pick-up and delivery station exclusive of one occupying the same premises as the plant; and, c) the building for a dry-cleaning plant shall not contain more than 4,000 square feet of floor area inclusive of dry-cleaning pick-up facilities within the building; and, d) the dry cleaning plant shall be designed to operate in a manner that will not emit smoke, or odor, or objectionable waste materials and which will not produce noise that will carry beyond the walls of the building occupied by such plant; and, e) fuel for operation of equipment shall be smokeless fuel; and, f) the applicant for the dry-cleaning plant shall certify in writing at the time of application that all the above conditions will be met.																
69. Newspaper or periodical production, sales and distribution								X	X							
70. Newspaper or periodical publishing								X	X							
71. Nightclub or lounge, provided lot must front arterial street.									X							
72. Office equipment sales and service							X	X	X							
73. Package store								X	X							

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
74. Pawn shops and small personal loan offices other than commercial banks.								X	X						
75. Personal service shops, such as barber shops, beauty shops, shoe repair, watch repair, and services of a similar nature.	SE							X	X						
76. Pest control, providing no outside storage other than within a WLI or H-I district.	SE								X	X	X				
77. Photography studio	SE						X	X	X						
78. Produce sales, seasonal	X							X	X						
79. Radio and television studios	SE							X	X						
80. Utility substation, provided all buildings, masts, and other facilities are located at least 200 feet from adjacent property lines on any lot which adjoins any residential district.	SE									X	X				
81. Railroad or bus passenger station								X	X						
82. Railroad freight station									X	X	X				
83. Restaurants	SE						SE	X	X						
84. Retail GFTO parts and tire stores								X	X						
85. Retail stores, not covered elsewhere in this section.								SE	X						
86. Residential mobile home sales room and sales lot	SE								X						
87. Security worker housing	SE		SE						SE	SE	SE				
88. Shell home display yards									X	X					
89. Shrubbery sales (within a CC zone, must be wholly contained within the building.)	SE							X	X						

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
90. Specialty shops, such as gift shops, jewelry stores, jewelry repair, antique shops, and stores of a similar nature.							SE	X	X						
91. Taxidermist	SE								SE	X					
92. Taxi office								SE	X						
93. Telecommunications towers provided all structures are set back from property lines and right-of-way lines the required distances for that district, plus one foot for every two feet above the height requirements of that district. Towers for telecommunication services will not be permitted within 5,000 feet of each other, measured from base of tower to base of tower.	SE								SE	SE	SE				
93. Telegraph or messenger service								X	X						
94. Technical college/schools	SE							X	X						
95. Travel trailer park, provided that: a) No travel trailer nor R/V park shall be located except with direct access to a principal or minor arterial with a minimum lot width of not less than 50 feet for that portion used for entrance and exit. No entrances or exits shall be through a residential district or shall require movement of traffic from the park through a residential district. b) The minimum lot area required for a travel trailer park shall be three acres. c) Spaces in a travel trailer park may be used by travel Trailers provided they shall be rented by the day or week only, and an occupant of such space	SE								SE						

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
shall remain in the trailer park for a period of not more than 30 days. d) Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to operation of a trailer park are permitted as accessory uses in any district in which travel trailer parks are allowed provided such establishments and the parking area primarily related to their operations shall not occupy more than ten percent of the area of the park. e) No space shall be located so that any part intended for occupancy for sleeping purposes shall be within 20 feet of the exterior property lines. f) In addition to meeting the above requirements, the travel trailer park site plan shall be accompanied by a certificate of approval from the Ben Hill County Health Department. g) Site plan review and approval required as part of rezoning.															
96. On site, Utility trailer sales, rentals, rent-alls	SE								X	X					
a) Utility trailer manufacture, trailer repair	SE									X					
97. Vending machines, located out-of-doors subject to yard and setback requirements for the respective districts (as an accessory use only).							X	X	X	X	X				
98. Acid storage and distribution											X				
99. Feed, grain, or fertilizer wholesaling and storage	SE								SE	X	X				

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
100. Freezer locker service, ice storage									X	X					
101. Greenhouse and plant nursery (Commercial) heavy equipment allowed only in GF and WLI districts. In CC and GB district must be wholly contained within a building.	SE							X	X	X					
102. Heavy manufacturing. The like of which produces noise, odor, dust, fumes, fire hazards or other nuisance features shall be setback not less than 500 feet from any H-I district boundary.															
a) Asphalt or concrete plant											SE				
b) Battery manufacturing											SE				
c) Bone distillation											SE				
d) Corrosive acids manufacture											SE				
e) Drop forge industry											SE				
f) Fat or oil manufacture (including fat rendering)											SE				
g) Fertilizer manufacture											SE				
h) Grain mill product manufacture											SE				
i) Leather tanning manufacture											SE				
j) Linoleum manufacture											SE				
k) Luggage manufacture											SE				
l) Lumber manufacture (lumber sawmill and storage)											SE				
m) Meat processing plant											SE				
n) Metal product manufacturing											SE				
o) Organic materials reduction											SE				
p) Petroleum refining and related industry											SE				
q) Power generation facility											SE				

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
r) Pulp or paper mill											SE				
s) Rubber or plastic product manufacture											SE				
t) Stone, clay, or glass manufacture											SE				
u) Transportation equipment manufacture											SE				
103. Junk yard or auto graveyard, provided that: a) Minimum lot size of five acres is required; and b) front yard setback increased 50 feet over requirements for other uses in WLI and H-I zones; and c) must be set back 500 feet from any residential district boundary. The entire junk yard or auto graveyard shall be screened as required in section 3-19.										SE	SE				
104. Light manufacturing:															
a) Appliance and electronic device assembly plant including the manufacturing of parts for appliances and electronic devices										X	X				
b) manufacturing of food, cosmetics and pharmaceutical products, but not including fish and meat products, sauerkraut, vinegar, yeast, and rendering plants										X					
c) machine shop and related activities										X					
d) construction of signs, including painted signs										X					
e) cooperage										X					
f) bottling and canning plants										X					
g) light sheet metal products such as ventilating ducts and eaves										X					

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
h) ice manufacturing										X					
i) laundry, cleaning, and dyeing plants										X					
j) musical instruments, toys, novelties, and similar products										X					
k) ceramic products provided that kilns shall only be by gas or electricity										X					
l) assembly of products from previously prepared materials										X					
m) tinsmith and roofing services										X					
n) other manufacturing, processing, packaging, or handling of a similar nature which shall not omit or produce more smoke, noise, odor, dust, vibration or fumes than the uses listed herein.										X					
105. Lumber yard, coal storage yards, or other storage not specifically listed in this column, such yards if within a WLI district shall be enclosed by a fence and no storage shall be permitted outside such fence.										X	X				
106. Petroleum storage (wholesale storage and wholesale distribution)										SE	X				
107. Planing or sawmill (in GF, must be screened per section 3-19 and abut an arterial or paved collector road.)	SE									X	X				
108. Railroad classification and repair yard											X				

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
109. Sale of livestock (commercial sales and/or auction facility)	SE									X					
110. Sanitary landfill or incineration											SE				
111. Truck terminal										X	X				
112. Warehousing (not related to sales on the premises)										X	X				
113. Warehousing (mini storage facility) storage for personal property - must be wholly contained within a building.	SE								X	X					
114. Wholesaling of a light commercial nature when operated in conjunction with or as part of a retail outlet.									X	X					
115. Wholesaling (not covered in other parts of this list)									SE	X	X				
116. Advertising incidental use sign							X	X	X	X	X				
117. Point of business sign (in accordance with restriction in section 9-2 or 9-3 if for home business/rural home occupation); Identification sign, bulletin board.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
118. Signs which do not require a permit (refer to section 11-4)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
119. Amusement or recreational activities (resource oriented), such as parks; marinas, bird sanctuaries; botanical gardens; archery ranges and commercial fishing ponds.	X														

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
120. Amusement or recreational activities. Hunting and shooting preserves and clubs and paintball ranges.	SE														
121. Agricultural experimental laboratory and/or facilities	SE									X	X				
122. Apiculture	X														
122-a. Commercial chicken houses	SE														
122-b. Cotton gin	SE										X				
123. Crop dusting service - If landing strip or pad is associated with activity, landing strip or pad must be set back 500 feet from all property lines.	SE									SE					
124. Farming and farm operations, including feed lots and related structures and other agricultural uses as defined in section 2, including agricultural worker housing.	X														
125. Fish hatcheries	X														
126. Forestry nurseries (tree farms)	X														
127. Growing of crops	X														
128. Horticultural production, including related retail and wholesale activities.	X														
128-a. Peanut drying facility (commercial)	SE										X				
129. Plant farms	X														
130. Riding or boarding stables	SE														
131. Rural home occupation	SE	SE	SE												
132. Worm farm	X														

	GF	RR	R1	R22	MR	MHP	P	CC	GB	WLI	HI	R6	R6M	R9	R15
133. Vegetable packing & sorting facility (commercial)	SE									X					
134. Vineyards	X														
135. Armories, for meetings and training organizations.									X	X					
136. Carnival or athletic event, community fair or other event of interest to the public, not to exceed 30 days.	SE							SE	X						
137. Cemetery (commercial)	SE							SE	X						
138. flea market	SE								X						
139. Religious meetings, held in a tent or other temporary structure not to exceed 30 days.	SE	SE						SE	SE						
140. Temporary buildings and storage of materials (in conjunction with construction of a building) on a lot where construction is taking place or on adjacent lots such temporary uses to be terminated upon completion of construction. No temporary building shall be used for residential purposes.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
141. Temporary batch plants and construction related facilities for a single development	SE									SE	SE				

SECTION 6. SETBACK AND YARD REQUIREMENTS BY DISTRICT

Sec. 6-1. Development standards.

Within the various zoning districts as indicated on the "Official Zoning Maps of Ben Hill County, Georgia", no building or structure, excluding all signs, shall be constructed or erected except as indicated in the following schedule:

DEVELOPMENT STANDARDS	GF	RR	R1	R22	MR and P	MHP	CC	GB	WLI	HI
Minimum Gross Floor Area Per Dwelling Unit (Sq. Ft.)	800	800	1,200	800	800	400	N/A	N/A	N/A	N/A
Minimum Lot Area for Dwelling Units	2 ac.	1 ac.	1 ac.	22,000 sf	6,000 sf + 3,000 sf per ea. add'l unit	Gross min. lot size 5 ac.	½ ac.	1.2 ac.	1 ac.	1 ac.
Minimum Lot Width (Feet)	200	150	150	100	100	300	100	100	210	210
Minimum Front Yard Setback from the Centerline of R/W (Feet)										
Principal & Minor Arterials	90*	90*	90*	90*	90*	90*	100**	85**	90**	90**
Collector Streets	80*	80*	80*	80*	80*	80*	90**	75**	80**	80**
Local Streets	70*	70*	70*	70*	70*	N/A	80**	70**	70**	70**
Minimum Side Yards (Feet)	20	20	20	10	10; if 4 or more stories, 20	20	None ***	None ***	None ***	None ***
Minimum Rear Yards (Feet)	40	40	40	30	30	20	12***	12***	12***	None ***
Maximum Building Height (Feet)	35	35	35	35	None	35	35*	None*	None*	None*

* The minimum distance from all other property lines to any building over 35 feet in height shall be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.

- ** Plus one-half any amount which the right-of-way width exceeds 60 feet for local streets, 80 feet for collector streets, and 100 feet for principal and minor arterials.
- *** If the adjoining yard is within any residential district, the yard requirements specified in this table shall be increased ten feet and screening shall be provided as specified in section 3-19 along the lot line common with said lot.

The following districts / classifications were created by previous Ben Hill County Zoning ordinances and currently exist on the Official Zoning Maps of Ben Hill County, Georgia. As of the adoption of this resolution, and into the future, no parcels may be zoned in accordance with these districts / classifications as they no longer exist in Ben Hill County's future land use plan.

DEVELOPMENT STANDARDS	R-15	R-9	R-6	R-6-M
Minimum Gross Floor Area Per Dwelling Unit (Sq. Ft.)	1,200	1,000	800	800
Minimum Lot Area for Dwelling Units	15,000 sq. ft.	9,000 sq. ft.	6,000 sq. ft. plus 3,000 sq. feet each additional unit	6,000 sq. ft. plus 3,000 sq. feet each additional unit
Minimum Lot Width (Feet)	100	80	60	60
Principal & Minor Arterials	90*	80*	80*	80*
Collector Streets (Feet)	80*	70*	70*	70*
Local Streets (Feet)	70*	60*	60*	60*
Minimum Side Yards (Feet)	10	10	8	8
Minimum Rear Yards (Feet)	40	30	30	30
Maximum Building Height (Feet)	35	35	35	30

* Plus half any amount which the right of way width exceeds 60 feet for local streets, 80 feet for collector streets, and 100 feet for principal and minor arterials.

BE IT FURTHER RESOLVED by the Ben Hill County Board of Commissioners to delete Section 9-3A.6.B of Appendix B of the Ben Hill County Code of Ordinances and replace it with the following:

- B) Water supply and sewage disposal for said housing shall be approved by the Ben Hill County Health Department.

SO RESOLVED AND ADOPTED at a meeting of the Ben Hill County Board of Commissioners this ____ day of September 2022.

BEN HILL COUNTY BOARD OF COMMISSIONERS:

By: _____
STEVE TAYLOR, CHAIRMAN

ATTEST: _____
DONNA PRATHER, COUNTY CLERK