

- c. Must meet ten (10) foot side and rear setbacks;

d. Swimming pools, gazebos, picnic shelters, etc.

- 1. Shall meet ten (10) foot side and rear setbacks
- 2. Shall meet thirty (30) foot front setback

(Amended 8/16/2004, 12/6/2004)

80B.5 Corner Visibility

Visibility at intersections must comply with the design criteria required by the North Carolina Department of Transportation. These standards shall be required of both public and private roadways.

80B.6 Off-Street Parking

Off-street parking shall be provided, as required by this ordinance.

Section 80C. RA-20 Residential - Agricultural District

The RA-20 Residential-Agricultural District is established as a district in which the principal use of the land is for low density residential and agricultural purposes.

80C.1 Permitted Uses

- a. Accessory buildings to residential uses, provided that no accessory building shall be rented or occupied for financial gain. Furthermore, in no instance shall an accessory use be placed upon a parcel which is absent of a principal use. ***See Section 80C.4 for additional requirements.***
- b. Churches and their customary related uses including cemeteries; provided that all buildings and graves shall be set back at least ten (10) feet from any property line.
- c. Governmentally owned public works facilities.
- d. Home occupations provided not more than 25% of the total gross floor area is used for these purposes. Home occupations shall provide parking for such occupations as required by Ordinance.
- e. Kindergartens and day nurseries, provided that they meet State and local Health Department requirements.

- f. Privately owned utilities such as transformer stations, pumping stations, and telephone exchanges with a disturbed area less than ½ acres (21,780 sq. ft.), and without any structures fifteen (15) feet or greater in height provided:
 - 1. All buildings shall be designed and landscaped in such a way as to blend in with surrounding area;
 - 2. All dangerous apparatus shall be enclosed by a chain link fence at least eight (8) feet in height.
 - 3. A proposed facility which is to be located on a site which contains a mature natural canopy shall perpetually maintain a twenty-five (25) foot undisturbed portion said mature natural canopy, measured from the outermost limits of said facility, which is not located within the area to be utilized by said facility and the means for access to said facility. In the event such facility is to be located on a site which is absent of a mature natural canopy, the outermost perimeter of said facility shall be lined by a buffer as defined by this ordinance.
- g. Public elementary and secondary schools and private schools having curricula approximately the same as ordinarily offered in public schools, provided the parking requirements of this ordinance are met.
- h. Public safety facilities such as fire and police stations and rescue squad headquarters, provided that equipment shall be stored indoors and shall be designed and landscaped in such a way as to blend in with the surrounding area.
- i. Public or private parks, playgrounds, community centers, clubs and lodges, golf courses, un-lit driving ranges – when used in conjunction with a golf course, swimming pools and fishing lakes.
- j. Public recycling facilities and refuse collection sites, landfills and other uses used for public purposes including, but not limited to correctional facilities. Such uses are considered essential to the administration of county government.
- k. Single-family site built and modular dwellings.
- l. Manufactured dwellings (HUD units) provided the parcel it is to be located upon meets one of the following criteria:

1. The lot of record was in existence prior to October 15, 2001; or
 2. The lot of record is greater than 10 acres; or
 3. The lot of record is the reconfiguration or combination of an existing lot of record and the end result is that no additional lot of record is created; or
 4. The existing lot of record is not greater than 2 acres and the resultant plat creates no more than 3 lots provided no new street right-of-way designation is involved, and the resultant lots are equal to or exceeds the standards of the Caldwell County Subdivision Ordinance and meets the public road frontage requirement of said ordinance; or
 5. The lot(s) being created are part of a family subdivision (as defined in the Caldwell County Subdivision Ordinance) and the home being permitted is for a family member as defined by the Caldwell County Subdivision Ordinance.
- m. Agricultural and farm related structures such as greenhouses and barns located on property which does not qualify under G.S. 160D-903 as a Bona Fide Farm. These structures are to be used for purposes such as the storage of hay, plants, farm supplies/machinery or livestock, including uses such as horses, cattle, or goats, but excluding more intensive uses such as swine facilities and chicken houses. Any farm-type building or structure shall be at least two-hundred (200) feet from any existing residence on adjacent tracts of land and shall be at least one-hundred (100) feet from any shared residential property line. *(Added 8/16/04)*
- n. Solar Energy Systems, Level 1. *See Section 70C.*
- o. Short-term rentals.

80C.2 Special Uses

The following uses are permitted when authorized by the Board of Commissioners after said Board holds a quasi-judicial public hearing pursuant to the provisions of this ordinance.

- a. Backyard Workshops, provided they are secondary to a main dwelling and;
 1. that the use will not materially endanger the public health or safety if located where proposed and according to an approved plan and plot plan,

2. that the use will not substantially injure the value of adjoining properties,
3. that the location and character of the use, if allowed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located,
4. no employees other than the occupants of the primary dwelling,
5. all state and federal regulations must be met in order to sell, repair or build guns [such as Federal Firearms License (FFL)].

Those uses allowed as Backyard Workshops are for building tradesmen, small appliance and lawn mower repair shops, cabinet and woodworking shops, upholstery shops, and gunsmiths and firearms dealers, provided they are limited in size to the following:

1. Maximum of 500 square feet if located on 1 ½ acre of land or less, and shall be set-back 100 feet from any adjoining dwelling, or
2. Maximum of 1000 square feet if located on more than 1 ½ acre of land and shall be set-back 200 feet from an adjoining dwelling.

Furthermore, there shall be no open storage and a properly installed buffer shall be provided as required by this ordinance.

- b. Bed and Breakfast
- c. Commercial Cemeteries, provided;
 1. No burial site is located closer than ten (10) feet from any right-of-way or property line;
 2. All structures meet all dimensional requirements of this district;
 3. No crematory operations are operated on-site.
- d. Congregate housing and life care facilities.

- e. Garage apartments and guest houses, provided they are located in the rear yard, meet the requirements stipulated for two-family dwellings, are architecturally similar, and meet all setback requirements required of the principal structure. Upon approval, such uses may be constructed prior to the completion of the principal structure provided both are permitted and under construction. The principal use must be completed within three years of the garage apartment or guest home. *(amended 8/16/2004)*
- f. Outdoor commercial and non-commercial recreational activities such as paintball courses, rodeos and similar activities, excluding firearm ranges and ATV/motocross operations, provided the following conditions are met:
 - 1. The facility(s) is surrounded by one of the following types of buffers:
 - a. a one-hundred (100) foot vegetative buffer which shall include an unpierced opaque fence no less than eight (8) feet in height;
 - b. a two-hundred (200) foot open area which shall include an unpierced opaque fence no less than eight (8) feet in height;

* Buffer requirements may be waived by the Board of Commissioners if the proposed use does not negatively impact the surrounding property(s).
 - 2. All structures and/ or support facilities shall be shielded from the view of all public rights-of-way and/or adjacent property lines;
 - 3. No activities are to take place within the required buffer;
 - 4. No operation shall be operated on a site smaller than five (5) acres;
 - 5. All operations shall be sanctioned by a nationally recognized entity of the activity;
 - 6. All operations shall be properly insured by a company or organization licensed to operate in the State of North Carolina. Proof of such insurance shall be provided to Caldwell County.

7. No lighting from the use shall be visible from any adjoining properties.

If the similarity of activity comes into question the Caldwell County Board of Commissioners shall make the final determination.

- g. Privately owned utility facilities such as transformer stations, pumping stations, water towers and telephone exchanges, with a disturbed area greater than or equal to ½ acres (21, 780 sq. ft.) and/or any structures fifteen (15) feet or greater in height provided:
 1. All buildings shall be designed and landscaped in such a way as to blend in with surrounding area;
 2. All dangerous apparatus shall be enclosed by a chain link fence at least eight (8) feet in height.
 3. A proposed facility which is to be located on a site which contains a mature natural canopy shall perpetually maintain a twenty-five (25) foot undisturbed portion said mature natural canopy, measured from the outermost limits of said facility, which is not located within the area to be utilized by said facility and the means for access to said facility. In the event such facility is to be located on a site which is absent of a mature natural canopy, the outermost perimeter of said facility shall be lined by a buffer as defined by this Ordinance.
- h. Recreational vehicles and/or campers as principal uses, provided;
 1. The property to which it is to be located is no less than ten (10) acres.
 2. Provided that the recreational vehicle or camper is not visible from a public road, public river or stream, or any surrounding properties.
- i. Two-family dwellings provided such units are constructed in such a manner as to blend into and appears to maintain the same environmental condition for the neighborhood in which it is to be located. An additional ten thousand (10,000) square feet of lot shall be provided, or as required by the Caldwell County Department of Health.

area

- j. Wireless Telecommunication Towers. *See conditions listed in Section 90F.*
- k. Recreation Vehicle Parks; provided the following conditions are met:

These special provisions for recreation vehicle parks are designed to encourage the compatibility of these parks with surrounding land uses, maintain a safe and healthy atmosphere, minimize adverse environmental impacts and stabilize demand on local public services.

1. Use. Recreation vehicle parks shall be used only by travel trailers, pick-up coaches, motor homes, camping trailers, other vehicular accommodations and tents, all of which are designed specifically for temporary habitation and used for travel, vacation and recreation purposes.
2. The site plan shall include the name and address of the applicant, a small vicinity map, as well as a map showing the property dimensions, the location and dimension of each recreation vehicle site, the location and use of all service and recreational facilities, all interior access ways, and the location of all proposed facilities, for sanitation, solid waste, drainage and fire prevention. Site plans shall be approved by the Environmental Health Sanitarian. The site plans shall be approved by the North Carolina Department of Transportation for ingress and egress to and from public streets and in accordance with the Flood Prevention Ordinance.
3. Area and Site Regulations. Area of the park shall be no less than one and one-half (1 ½) acres. Density shall be no more than ten (10) sites per acre. Each recreation vehicle site shall be at least eighteen hundred (1,800) square feet in area. Each site shall contain a stabilized vehicular parking pad of packed gravel, marl, paving or other suitable material. Prior to first occupancy, a certified statement of compliance shall be obtained from the Planning Department.
4. Exterior Yard Requirements. A set-back of thirty (30) feet from a public right-of-way or from a property line abutting a residential lot or residential use district shall be required. All other yard setback requirements shall be twenty-five (25) feet.

5. Location and Access. A recreational vehicle park shall be so located that no entrance nor exit from a park shall discharge traffic into any residential subdivision nor require movement of traffic from the park through a residential subdivision. A recreation vehicle park shall have a minimum of thirty-five (35) feet of frontage on a public street or right-of-way. Entrances and exits to recreation vehicle parks shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the park and shall be through such entrances and exits. Radii of curbs and pavement at intersections shall be such as to facilitate easy turning movements for vehicles with trailers attached. All ingress and egress to and from public streets shall meet the specifications of the North Carolina Department of Transportation.
6. If utility lines are available each park shall have at least one telephone available for public use. Unless included within Management headquarters, a manager's residence, recreational facilities, toilets, dumping stations, showers, coin-operated laundry facilities, stores and other such uses and structures customarily incidental to operations of a recreation vehicle park are permitted as accessory uses to the park, subject to the following restrictions:
 - a. Such establishments (excluding recreational facilities) and the parking areas primarily related to their operations shall not occupy any more than ten percent (10%) of the gross area of the park.
 - b. The structures housing such facilities shall not be located closer than thirty (30) feet from the right-of-way and shall not be directly accessible from any public street but shall be accessible only from a street within the park.
 - c. Such structures containing toilets, bathhouses and other plumbing fixtures shall adhere to the requirements on the most current edition of the North Carolina State Plumbing Code, as amended and Health Regulations.
7. Parking. Adequate off-street parking and maneuvering shall be provided on site. The use of any public street, sidewalk

or right-of-way or any other private grounds not a part of the recreation vehicle parking area for the parking or maneuvering of vehicles is prohibited.

8. Streets. Streets within recreation vehicle parks shall be private but shall be constructed with a stabilized travel-way (packed gravel, marl, paving or other suitable material) and shall meet the following minimum stabilized travel-way width requirements:

One-way, no parking	12 feet
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One-way with parking on one side or two-way with no parking	20 feet
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Two-way with parking on one side	27 feet
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Two-way with parking on both sides	34 feet
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9. Buffers. Recreation vehicle parks shall be enclosed by a fence, wall landscape screening, earth mounds or by other designs form all contiguous residential areas in a manner that will complement the landscape and assure compatibility with the adjacent environment.

10. Recreation Facilities. A minimum of ten percent (10 %) of the gross site area of the recreation vehicle park, or two thousand, five hundred (2,500) square feet, whichever is greater, shall be set aside and developed as common use area for open spaces or recreation facilities. No recreation vehicle site, required buffer strip, street right-of-way, storage area nor utility site shall be counted as meeting open space or recreational purposes.

11. Dumpsters. Dumpsters, regular trash pick-up and appropriate disposal of trash from all parts of the property required.

1. Private non-emergency landing strips and/or helicopter pads provided the owner of the proposed airstrip/landing pad provides adequate evidence that the proposed use does not unreasonably impede, endanger, or effect normal operation of any of the following:
 - a) Historic site
 - b) Church or place of worship
 - c) Community center of recreational area

- d) Rest home or retirement community/center
- e) Residential community

The following information shall be provided by the applicant:

- a) Projected users
 - b) Length of runway
 - c) Surface material
 - d) Size and type of aircraft
 - e) Number of aircraft
 - f) Number/type of structures
 - g) Operating hours
- m. Solar Energy Systems, Level 2 & 3. *See Section 70C.*
- n. In and Outdoor Commercial Shooting Range
1. All outdoor commercial ranges must be located a minimum of 2,640 ft. from any existing residence not located on the range property. All outdoor commercial ranges must also be located a minimum of 1 mile from any daycare, church or school.
 2. Sides of the range must be 500 ft. from all property lines that are not part of the site plan (for outdoor commercial ranges).
 3. A projectile containment and backstop, consisting of concrete, steel, earth, or any combination of energy-absorbing material that will reduce ricocheting, at least 15 ft. high must be erected and maintained behind all outdoor target areas. Indoor ranges require projectile-proof backstops consisting of ballistic material following NRA standards. Commercially-fabricated and constructed projectile traps are recommended.
 4. For outdoor ranges, all firing shall occur Monday thru Saturday from 7:00 am to 7:00 pm and between 1:00 pm and 6:00 pm on Sundays. Law enforcement agencies are exempt from shooting range time requirements in accordance with NC Sheriff's Education and training Standards and NC Criminal Justice Education and Training Standards.
 5. Outdoor ranges must provide a 100 ft. wide, 10 ft. tall vegetative buffer adjacent to all parcel property lines.
 6. Outdoor ranges require a 15 acre minimum lot size.
 7. Gunsmiths and firearms dealers are allowed as incidental uses to indoor and outdoor commercial shooting ranges.
 8. In and outdoor ranges may sell targets and ammunition to members, following all state and federal regulations.
 9. Retail gun stores are allowed as incidental uses to indoor and outdoor commercial shooting ranges in any district that allows commercial ranges as well as retail or wholesale uses (G-B, IND and L-IND).

10. Owner and/or operator of firing ranges are required to carry general commercial liability insurance insuring against bodily injury or death in minimum amount of \$500,000.

o. Indoor and Outdoor Private Shooting Clubs

1. The use must not be located within 1,350 ft. of any existing residence not located on range property. Outdoor private shooting clubs must be located at least 1 mile from any daycare, church or school.
2. Sides of the range must be 300 ft. from all property lines that are not part of site plan.
3. A projectile containment and backstop, consisting of concrete, steel, earth, or any combination of energy-absorbing material that will reduce ricocheting, at least 15 ft. high must be erected and maintained behind all outdoor target areas. Indoor ranges require projectile-proof backstops consisting of ballistic material according to NRA standards. Commercially-fabricated and constructed projectile traps are recommended.
4. For outdoor ranges, all firing shall occur Monday thru Saturday from 7:00 am to 7:00 pm and between 1:00 pm and 6:00 pm on Sundays. Law enforcement agencies are exempt from shooting range time requirements in accordance with NC Sheriff's Education and Training Standards and NC Criminal Justice Education and Training Standards.
5. Outdoor ranges must provide a 20 ft. wide, 10 ft. tall vegetative buffer adjacent all parcel property lines.
6. Outdoor ranges require a 10 acre minimum lot size.

p. Marinas, commercial. Provided that: All boat storage and service areas shall be enclosed by a fence, wall, landscape screening, earth mounds or by other designs from all contiguous residential areas in a manner that will complement the landscape and assure compatibility with the adjacent environment.

80C.3 Dimensional Requirements

Within the RA-20 Residential-Agricultural District as shown on the zoning map, the following dimensional requirements shall be complied with:

a. Lot Size (to include Protected Watershed area)

	Minor Subdivision	Major Subdivision
No public water	.75 acre minimum lot size	1 acre density average, .75 minimum lot size
With public water	.5 acre minimum lot size	1 acre density average, .5 acre minimum lot size

Within the critical zone of the watershed, land abutting an impounded water supply water body shall have a minimum lot size of one and a half (1.5) acres. Lot sizes within a subdivision that are not directly abutting the impoundment may average one and $\frac{1}{4}$ (1.25) acre lot size with a minimum lot size of one (1) acre. Where the non-abutting lots are served by public water, lots may average 1 acre with a $\frac{3}{4}$ minimum lot size.

b. Minimum lot width at building line: 75 ft

c. Minimum front yard setback: 30 ft.

In the absence of a dedicated right-of-way it shall be deemed that there is a forty-five (45) foot right-of-way, in which the existing street is centered.

d. Minimum side yard setback: 10 ft.
Side yard abutting a street: 15 ft.

e. Minimum rear yard setback: 25 ft.

f. Maximum height of buildings: 35 ft.

g. Maximum permissible lot coverage by all impervious surfaces (structures, pavement, etc.); shall not exceed fifty (50) percent of the total lot area. Maximum coverage for land lying within a designated watershed shall comply with the Caldwell County Watershed Protection Ordinance.

80C.4 Location & Size Requirements for Accessory Structures & Detached Garages

a. Detached Garages shall meet the following standards:

1. Shall not be greater than fifty (50) percent of the gross floor area of the principal structure.
2. Shall not be placed upon a parcel which is absent a principal residential use. However, a detached garage may be constructed prior to the completion

of the principal structure provided both are permitted and under construction.

3. Thirty (30) foot minimum front setback.
4. Ten (10) foot minimum side and rear setback
5. Five (5) foot minimum side street (corner lot) setback.

- b. Accessory Structures one hundred and forty-four (144) square feet and under shall meet the following standards:

1. Shall not be erected in any front or side yard.
2. Shall not be placed upon a parcel which is absent a principal structure.
3. Thirty (30) foot minimum front setback.
4. Ten (10) foot minimum side and rear setback.
5. Thirty (30) foot minimum side street (corner lot) setback.

- c. Accessory Structures greater than one hundred and forty-four (144) square feet shall meet the following standards:

1. For lots 1.5 acres and less
 - a. Shall not be erected in any front or side yard.
 - b. Shall not be placed upon a parcel which is absent a principal structure.
 - c. Allowed nine hundred (900) total gross square feet (all accessory structures combined) or fifty (50) percent of gross square footage under principal structure roof, whichever is greater;
 - d. Exterior must be of materials of typical dwelling materials in residential zoning districts.
 - e. Must meet ten (10) foot side and rear setbacks.
 - f. The structure must be used for residential purposes only and not for commercial or industrial activity;
 - g. No more than two (2) accessory structures permitted per lot;
2. For lots that are 1.51 to five (5) acres:
 - a. Shall not be erected in any front or side yard.

- b. Shall not be placed upon a parcel which is absent a principal structure.
 - c. Allowed two thousand, four hundred (2400) total gross square feet (of all accessory structures combined) or fifty (50) percent of gross square footage under principal roof, whichever is greater;
 - d. Must meet ten (10) foot side and rear setbacks.
 - e. The structure must be used for residential purposes only and not for commercial or industrial activity;
 - f. No more than 4 accessory structures permitted per lot;
3. For lots from 5.01 to ten (10) acres:
- a. Shall not be erected in any front or side yard.
 - b. Shall not be placed upon a parcel which is absent a principal structure.
 - c. Must meet ten (10) foot side and rear setbacks;
 - d. No more than six (6) accessory structures permitted per lot;
4. For lots that are over ten (10) acres:
- a. Shall not be erected in any front or side yard.
 - b. Shall not be placed upon a parcel which is absent a principal structure.
 - c. Must meet of ten (10) foot side and rear setbacks;

d. Swimming pools, gazebos, picnic shelters, etc.

- 1. Shall meet ten (10) foot side and rear setback
- 2. Shall meet thirty (30) foot front setback

(Amended 8/16/2004, 12/6/2004)

80C.5 Corner Visibility

Visibility at intersections must comply with the design criteria required by the North Carolina Department of Transportation. These standards shall be required of both public and private roadways.

80C.6 Off-Street Parking