

**ARTICLE 15
CORRIDOR OVERLAY DISTRICTS.**

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15.1. BRANCHVIEW DRIVE CORRIDOR OVERLAY (BDCOD) DISTRICT

15.1.1. PURPOSE.

This district is established to provide for preservation of scenic vistas and open space and protection of natural drainage and flood plain functions of streams, to enhance the quality of compatibility of development, to establish consistent architectural and design guidelines, and to minimize future traffic congestion along the Branchview Drive (N.C. 136) corridor. The Branchview Drive Corridor Overlay District shall overlap and overlay existing zoning districts.

15.1.2. DISTRICT BOUNDARIES.

The boundaries of the Branchview Drive Corridor Overlay shall be that which is displayed on the Official Zoning Map for the City of Concord, except that in no case shall the boundaries of the district exceed a depth of more than 500 feet from the centerline of the right-of-way for Branchview Drive (N.C. 136).

15.1.3. PERMITTED USES.

15.1.3.1. Permitted uses and/or Conditional Uses shall be those within the underlying zoning districts and is listed in Table 4.6-1. No use shall be permitted in the overlay district that is not permitted in the underlying zoning district. Conditional uses shall be those permitted in the underlying zoning districts.

15.1.3.2. Accessory Uses shall be those permitted in the underlying zoning districts as set forth in Section 5.2 of this Ordinance.

15.1.4. DIMENSIONAL REGULATIONS.

15.1.4.1. All dimensional regulations (except for building setbacks as regulated below) shall be governed by the underlying zoning district as set forth in Table 4.7-1 of this Ordinance.

15.1.4.2. Setbacks.

- **Minimum Front Yard** - 20 feet for all structures other than single-family residences. Setbacks for single-family residences shall be governed by the underlying zoning district. In the event that the setback in the underlying district exceeds that in the overlay, the most stringent requirement shall apply.
- **Minimum Interior Side Yard** - 15 feet for all structures other than single-family residences. Setbacks for single-family residences shall be governed by the underlying zoning district. In the event that the setback in the underlying district exceeds that in the overlay, the most stringent requirement shall apply.
- **Minimum Street Side Yard** - 20 feet for all structures other than single-family residences. Setbacks for single-family residences shall be governed by the underlying zoning districts. In the event that the setback in the underlying district exceeds those in the overlay, the most stringent requirement shall apply.
- **Minimum Rear Yard** - The minimum rear yard shall be governed by the underlying zoning district.

15.1.5. OFF-STREET PARKING/LOADING AND VEHICULAR ACCESS.

Standards for off-street parking/loading spaces and vehicular access areas shall be determined by the minimum requirements as set forth in Article 8 of this Ordinance.

15.1.6. SIGN REGULATIONS.

Sign shall be regulated in accordance with the standards set forth in Article 12 of this Ordinance.

15.1.7. LANDSCAPING AND BUFFERING.

Standards for landscaping and buffering areas shall

be determined by the minimum requirements as set forth in Article 7 of this Ordinance.

15.1.8. BUILDING DESIGN.

15.1.8.1. General Form - New buildings shall have generally complex exterior form, including design components such as windows, doors, and changes in roof and facade orientation. Large flat expanses of featureless exterior wall shall be avoided. Roof designs for new buildings, particularly those with less than 10,000 square feet of gross floor area, should be pitched with a slope of 6:12 or greater. Mansard roofs and parapet walls may be considered to conceal roofs with pitches of less than 6:12. Flat roofs are discouraged.

15.1.8.2. Exterior Building Materials - Building materials on exterior surfaces shall be brick, stone, stucco, wood siding, wood shingles, or vinyl, Masonite, or aluminum siding designed to resemble wood siding. Exterior finishes consisting of standard concrete block and metal and concrete panels shall be avoided. Split face concrete masonry designed to resemble stone may be considered.

15.1.8.3. Mechanical and Service Equipment - HVAC and similar types of incidental machinery or equipment shall be screened from view or located in such a manner as to not be visible from the street. Trash receptacles, dumpsters, utility meters, above-ground tanks, satellite dishes and antennas shall be similarly screened.

15.1.9. EXPANSION TO EXISTING STRUCTURES. Existing development, constructed prior to the adoption of the Branchview Drive Corridor Overlay District, may enlarge by up to 50 percent of the existing floor area and shall be exempt from the design requirements. Additions and improvements to parking areas for existing developments shall also be exempt from the design requirements but shall be subject to standard design requirements within the Ordinance.

15.1.10. SITE PLAN SUBMISSION.

15.1.10.1. Site plans and architectural plans for construction within the Branchview Drive Corridor Overlay District shall be prepared by one or more of the following:

- a landscape architect registered by the State of North Carolina;
- a professional land planner or planning consultant;
- an architect registered by the State of North Carolina; or
- a professional engineer or registered land surveyor licensed by the State of North Carolina.

15.1.10.2. Review and Approval - Submission requirements to obtain complete review and approval for development (excluding single-family residences) in the Branchview Drive Corridor Overlay District shall include:

- Site Plan prepared in accordance with Article 3;
- Landscaping Plan prepared in accordance with Article 7;
- Grading Plan prepared in accordance with Article 3; and
- Architectural Plans prepared in accordance with the standards of Section 15.1.11.3, below.

15.1.10.3. Architectural Plans - The architectural plans shall depict architectural details of the proposed development and shall consist of:

- preliminary renderings of building elevations plus typical cross sections to clearly define the character of the project; and
- exterior building materials inventory to indicate compliance with Section 15.1.8.

15.1.10.4. Approval shall be by the Department of Planning and Community Development and the Department of Engineering. Certification of such approval shall include the signatures of the Director of Planning and the City Engineer. The City staff shall have the option of referring any project, which, in their opinion, does not meet the Building Design Requirements of Section 15.1.8 to the Planning and Zoning Board (as Board of Adjustment) for review. Such referral shall be in the form of an Administrative Review, and application fees shall not apply. All items for Board action shall be referred at least 28 days prior to a regular meeting of the Planning and Zoning Board. In the event that the applicant wishes review of the project prior to the next available meeting and a

pecially scheduled meeting is called by the Chairmen of the Planning and Zoning Board, application fees shall apply.

15.1.11. CHANGE/RESUMPTION OF USE.

When the permitted use of an existing building or structure with nonconforming site improvements is changed, or is resumed after ceasing for more than six consecutive months, the site improvements shall be made to conform to the general requirements as prescribed under Article 13 of the Ordinance, except that such improvements shall not include the standards of the Branchview Drive Corridor Overlay District.

15.2. CONCORD PARKWAY CORRIDOR OVERLAY (CPCOD) DISTRICT.

15.2.1. PURPOSE.

This district is established to enhance the quality of compatibility of development, to establish consistent architectural and design guidelines to encourage the most appropriate use of adjacent lands, and to promote the safe and efficient movement of traffic. The district is deemed necessary to enhance the streetscape of Concord Parkway, which is the principal entrance to the City. The Concord Parkway Corridor Overlay District shall overlap and overlay existing zoning districts. The provisions and regulations of this district shall not apply to single-family dwelling units.

15.2.2. DISTRICT BOUNDARIES.

The boundaries of the Concord Parkway Corridor Overlay shall be that which is displayed on the Official Zoning Map for the City of Concord, except that in no case shall the boundaries of the district exceed a depth of more than 500 feet from the centerline of the right-of-way for the Concord Parkway (U.S. 29).

15.2.3. PERMITTED USES.

15.2.3.1. Permitted uses and/or Conditional Uses shall be those within the underlying zoning districts and is listed in Table 4.6-1. No use shall be permitted in the overlay district that is not permitted in the underlying zoning district. Conditional uses shall be those permitted in the underlying zoning districts.

15.2.3.2. Accessory Uses shall be those permitted in the underlying zoning districts as set forth in Section 5.2 of this Ordinance.

15.2.4. DIMENSIONAL REGULATIONS.

All dimensional regulations shall be governed by the underlying zoning district as set forth in Table 4.7-1 of this Ordinance.

15.2.5. OFF-STREET PARKING/LOADING AND VEHICULAR ACCESS.

Standards for off-street parking/loading spaces and vehicular access areas shall be determined by the minimum requirements as set forth in Article 8 of this Ordinance.

15.2.6. SIGN REGULATIONS.

Sign shall be regulated in accordance with the standards set forth in Article 12 of this Ordinance.

15.2.7. LANDSCAPING AND BUFFERING.

Standards for landscaping and buffering areas shall be determined by the minimum requirements as set forth in Article 7 of this Ordinance.

15.2.8. BUILDING DESIGN.

15.2.8.1. General Form - All sides of buildings visible from the Concord Parkway shall have generally complex exterior form, including design components such as windows, doors, and changes in roof and facade orientation. Buildings sided with vinyl, masonite corrugated metal, and sheet metal are prohibited. Approved exterior building materials include: brick, stone, stucco, wood siding, wood shingles, tinted concrete block (up to four inches in height); textured concrete block (slit face, fluted, etc.), glass, tinted or textured precast concrete panels (four feet by 8 feet), rock, exposed aggregate panels, or comparable materials as approved by staff.

15.2.8.2. Mechanical and Service Equipment - HVAC and similar types of incidental machinery or equipment shall be screened from view or located in such a manner as to not be visible from the street. Trash receptacles, dumpsters, utility meters, above-ground tanks, satellite dishes and antennas shall be similarly screened.

15.2.9. EXPANSION TO EXISTING STRUCTURES. Existing development, constructed prior to the adoption of the Concord Parkway

Corridor Overlay District, may enlarge by up to 50 percent of the existing floor area and shall be exempt from the design requirements. Additions and improvements to parking areas for existing developments shall also be exempt from the design requirements but shall be subject to standard design requirements within the Ordinance.

15.2.10. SITE PLAN SUBMISSION.

15.2.10.1. Site plans and architectural plans for construction within the Concord Parkway Corridor Overlay District shall be prepared by one or more of the following:

- a landscape architect registered by the State of North Carolina;
- a professional land planner or planning consultant;
- an architect registered by the State of North Carolina; or
- a professional engineer or registered land surveyor licensed by the State of North Carolina.

15.2.10.2. Review and Approval - Submission requirements to obtain complete review and approval for development (excluding single-family residences) in the Concord Parkway Corridor Overlay District shall include:

- Site Plan prepared in accordance with Article 3;
- Landscaping Plan prepared in accordance with Article 7;
- Grading Plan prepared in accordance with Article 3; and
- Architectural Plans prepared in accordance with the standards of Section 15.2.11.3, below.

15.2.10.3. Architectural Plans - The architectural plans shall depict architectural details of the proposed development and shall consist of:

- preliminary renderings of building elevations plus typical cross sections to clearly define the character of the project; and
- exterior building materials inventory to indicate compliance with Section 15.2.8.

15.2.10.4. Approval shall be by the

Department of Planning and Community Development and the Department of Engineering. Certification of such approval shall include the signatures of the Director of Planning and the City Engineer. The City staff shall have the option of referring any project, which, in their opinion, does not meet the Building Design Requirements of Section 15.2.8 to the Planning and Zoning Board (as Board of Adjustment) for review. Such referral shall be in the form of an Administrative Review, and application fees shall not apply. All items for Board action shall be referred at least 28 days prior to a regular meeting of the Planning and Zoning Board. In the event that the applicant wishes review of the project prior to the next available meeting and a specially scheduled meeting is called by the Chairmen of the Planning and Zoning Board, application fees shall apply.

15.2.11. CHANGE/RESUMPTION OF USE.

When the permitted use of an existing building or structure with nonconforming site improvements is changed, or is resumed after ceasing for more than six consecutive months, the site improvements shall be made to conform to the general requirements as prescribed under Article 13 of the Ordinance, except that such improvements shall not include the standards of the Concord Parkway Corridor Overlay District.

15.3. COPPERFIELD BOULEVARD CORRIDOR OVERLAY (CBCOD) DISTRICT.

15.3.3. PURPOSE.

This district is established to provide flexibility for nonresidential-zoned areas that abut established residential neighborhoods along Copperfield Boulevard. The district shall function to flexibly limit the uses which have undesirable characteristics of smoke, odor or noise emission, storage of hazardous materials, high traffic generation, or other characteristics which may adversely affect the aesthetic appearance of the area, or the health, safety, and general welfare of nearby residents, or motorists traveling through the area. The Copperfield Boulevard Corridor Overlay District shall overlap and overlay existing zoning districts.

Industrial Launderers	7218
Karate and Judo Instruction	7999
Miscellaneous Repair Services (of any item not sold on the premises)	7600
Mobile Homes on Individual Lots	0000
Mobile Home Parks	0000
Motorcycle Sales	5571
Multifamily	0000
Pawn Shops	5932
Rehabilitation Hospitals: Drug Addiction and Alcoholism	8069
Reupholstery and Furniture Repair	7640
Self-storage and Mini-warehousing (self-service storage facilities)	4225
Taxicab Stands and Operations	4121
Truck Driving Schools	8249

15.3.4. DISTRICT BOUNDARIES.

The boundaries of the Copperfield Boulevard Corridor Overlay shall be that which is displayed on the Official Zoning Map for the City of Concord. The boundaries of the Copperfield Boulevard shall be those of the former Use Restricted Overlay District (UROD) as adopted on the 11th day of February, 1993.

15.3.5.2. Accessory Uses shall be those permitted in the underlying zoning districts as set forth in Section 5.2 of this Ordinance.

15.3.5. PERMITTED USES.

15.3.6. DIMENSIONAL REGULATIONS.

15.3.5.1. Permitted uses and/or Conditional Uses shall be those within the underlying zoning districts and is listed in Table 4.6-1, except that the following uses shall be prohibited within the CBCOD as established by Ordinance on the 11th day of February, 1993:

All dimensional regulations shall be governed by the underlying zoning district as set forth in Table 4.7-1 of this Ordinance.

Use	1987 S.I.C.
Animal Services, except Veterinary	0750
Automobile Repair Shops	7530
Car Washes	7542
Cemeteries	6553
Coin Operated Amusement Devices	7993
Contractors, General Building and Special Trade (with outside storage only)	1500,1700
Drycleaning Plants, Except Rug Cleaning	7216
Heavy Construction Equipment Rental and Leasing	7353

15.3.7. OFF-STREET PARKING/LOADING AND VEHICULAR ACCESS.

Standards for off-street parking/loading spaces and vehicular access areas shall be determined by the minimum requirements as set forth in Article 8 of this Ordinance.

15.3.8. SIGN REGULATIONS.

Sign shall be regulated in accordance with the standards set forth in Article 12 of this Ordinance.

15.3.9. LANDSCAPING AND BUFFERING.

Standards for landscaping and buffering areas shall be determined by the minimum requirements as set forth in Article 7 of this Ordinance.

15.4 THOROUGHFARE OVERLAY (TOZ) DISTRICT

15.4.1 PURPOSE.

The orderly development of land is dependent upon the protection of existing and proposed major roads in the County. It is extremely important because thoroughfares commonly establish a positive image of the quality of life in the County for visitors and residents alike. Preservation of this natural beauty is required to enhance trade, capital investment, tourism and the general welfare.

The purpose of the Thoroughfare Overlay Zone (TOZ) is to help assure protection will be included in all land uses developed along several key roadways. Accordingly, these regulations are made with consideration to both the County's land development plan and area plans. They are designed to promote the health and general welfare of the residents of Cabarrus County as well as preserve property values and encourage appropriate land usage. And, finally, these regulations will facilitate the provision of transportation by promoting the safe and efficient movement of traffic and by encouraging development which reduces or eliminates visual clutter, excessive driveway cuts, and poor site layout.

15.4.2 SETBACK REQUIREMENTS.

All roads classified as principal arterial, minor arterial, major collector, or minor collector in either the *KANLACON Thoroughfare Plan* or the *Cabarrus County Thoroughfare Plan* are subject to the Right-of-Way standard as shown in Appendix A of the *Cabarrus County Thoroughfare Plan*.

The setback is measured from the edge of the proposed right-of-way. These

setbacks will be in addition to the setbacks required in the applicable zone by the Cabarrus County Zoning Ordinance.

15.4.3 ADDITIONAL REQUIREMENTS.

Arterial roadways US 29, NC 49, NC 73, NC 24-27, and US 601 are subject to the following. In addition, any arterial roadways referenced within the following shall also be subject to the additional requirements beginning in Section 4-16.

1. An official roadway corridor map approved by the Cabarrus County Board of Commissioners.
2. A comprehensive street system plan, collector street plan, or thoroughfare plan adopted by the Cabarrus County Board of Commissioners.
3. A North Carolina Department of Transportation (NCDOT) annual construction program, or a multi-year transportation improvement plan.
4. The *KANLACON Transportation Improvement Program*, or *KANLACON Thoroughfare Plan* as approved by the KANLACON Transportation Advisory Committee.

15.4.4 ESTABLISHMENT OF ZONE.

The Thoroughfare Overlay Zone (TOZ) shall be superimposed along both sides of the above mentioned and proposed roads which extend the County's planning and zoning jurisdiction. As an overlay zone, it does not control the permitted or conditional uses therein, but provides additional development requirements and standards which are applied within the coverage area.

15.4.5 SITE PLAN REQUIREMENTS.

Any of the permitted or conditional land uses allowed in the underlying district(s) shall submit a site plan with the following information:

1. Location and arrangement of automobile parking, access, and circulation patterns.
2. Location and use of existing buildings, and accessory structures.
3. Location of existing and proposed signs. Signs shall be a maximum height of five (5) feet to the top of the sign as measured from

the grade, and a maximum square footage of ten (10) feet if they are located within a buffer yard.

4. Location of all streets, existing or proposed, storm sewer, and drainage structures.
5. Existing and proposed rights-of-way including streets, sidewalks, and utilities.
6. Boundary of the proposed project, adjacent property owners, land use, and zoning.
7. Notation of distance to all major and minor arterials designated on the Kanlacon or Cabarrus County Thoroughfare Plan and all collector streets within five hundred (500) feet of the property.
8. Existing and proposed topography at five (5) foot intervals.
9. Any additional items required in other sections of this or other ordinances.

After approval of a site plan by the Zoning Administrator, a copy of the approved plan shall be filed within the Office of the Department of Planning, Zoning, and Building Inspection. All land use permits shall be issued only for structures or dwellings that comply with this approved plan.

15.4.6 THOROUGHFARE YARD.

A fifteen (15) foot landscaped island is required from the thoroughfare street right-of-way as identified in Section 4-13.

This fifteen (15) foot landscaped setback shall contain a mixture of the following: one tree which will reach a level of six (6) feet within three (3) years every thirty (30) linear feet of frontage, low level shrubs, decorative trees (miniature trees if located under power lines), and grass.

Remaining open area may be used for parking and other nonstructural accessory uses. This area will not be calculated to meet the required parking, loading, or other requirements as listed in this Ordinance. No permanent structures shall be built in the required setback area.

Developers/owners **must** set aside and show on the site plan the area requirements under this Ordinance for both parking and loading.

The Highway 49 Corridor Overlay District setback standards in Appendix E on pages E-6 and E-14, shall supersede the thoroughfare yard standards for all properties located on Highway 49 and within the boundaries of the Highway 49 Corridor Overlay District.

15.4.7 ADDITIONS TO EXISTING PROPERTIES.

If additions are planned for the properties located along the above mentioned roadways, then these additions shall meet the designated right-of-way and setback as listed in the KANLACON and Cabarrus County Thoroughfare Plans and the County's Zoning Ordinance. Any additions, five (5%) percent or less of the original square footage at the time of adoption of the TOZ, shall be exempt from the TOZ requirements.

15.4.8 ACCESS POINTS.

The term access point(s) shall mean a point of ingress and/or egress which may be either public or private.

1. New Lots. All new lots, parcels or divisions of land shall be provided access to the thoroughfare by means of a subdivision street or an entrance either maintained or approved by the State of North Carolina or approved by the Cabarrus County Zoning Ordinance or Subdivision Regulations. Subdivision streets accessing the thoroughfare shall be located at least four (400) hundred feet apart. Where no more than two lots are created within the internal lot in a single block lying within the TOZ, a single vehicular access provision shall be made from the thoroughfare.

2. Lots of Record. Any lots of record at the time of the adoption of this Ordinance shall be allowed one access point. However, if lots of records are corner lots then the access point shall be located on the road of minor classification no closer than one hundred twenty-five (125) feet or the greatest possible distance from the intersection with the thoroughfare.

3. Corner Lots. Corner lots fronting on two (2) thoroughfares may have one access point from each thoroughfare. However, the access shall meet the one hundred twenty-five (125) foot distance requirement, or

the greatest possible distance.

4. Additional Access Points. An additional access point may be approved, at the discretion of the Zoning Administrator, for access to Commercial or Industrial property. The approval of this additional access point shall require the construction of both a left turn and deceleration lane to serve that entrance. The area of these lanes used for vehicular storage shall be of standard lane width (12 feet) and adequate in length to store a standard tractor-trailer and two automobiles. In no event shall adjacent access points be closer than 100 feet to each other, as measured from the nearest curbs or edges of pavement, excluding any area of the access flared to improve vehicle ingress or egress. This requirement may be waived if no other access to the property would be possible.

The additional access point shall be no more than 32 feet in width, and shall be defined by a curb on both ends of the access point. A standard sight triangle (10' by 70') shall be maintained on the portion of curb adjoining the access point. No structure, sign, planting, etc. shall be placed in the sight triangle that would interfere with the tractor-trailer being able to enter or exit the property in one continuous movement.

The area required for these improvements to provide an additional access may not be included in the area required for the Thoroughfare yard (see Section 4-17