

**ARTICLE 15
CORRIDOR OVERLAY DISTRICTS.**

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15.1 THOROUGHFARE OVERLAY DISTRICT2

15.1 THOROUGHFARE OVERLAY (TOZ) DISTRICT

15.1.1 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.

15.1.2 SETBACK REQUIREMENTS.

All roads classified as freeway, expressway, boulevard, major thoroughfare, or minor thoroughfare in the *CRMPO Comprehensive Transportation Plan* are subject to the Right-of-Way standard as shown in the *CRMPO Comprehensive Transportation Plan Index*.

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 per Table 4.7-1 in Article 4.

15.1.3 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. A North Carolina Department of Transportation (NCDOT) annual construction program, or a multi-year

transportation improvement plan.

2. The *CRMPO Transportation Improvement Program*, *CRMPO Thoroughfare Plan* or Comprehensive Transportation Plan as approved by the *CRMPO Transportation Advisory Committee*.

15.1.4 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.

15.1.5 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 *CRMPO* 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.

15.1.6 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 CRMPO and Cabarrus County Thoroughfare Plans and the UDO. 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.

15.1.7 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.