

# What is a Protected Corridor?

- North Carolina  
Transportation Corridor  
Official Map Act, N.C.G.S.  
§ 136-44.50 et seq. a/k/a  
“The Map Act”
- A Planning tool.
- Can be used by NCDOT,  
cities, counties, MPOs for  
highways, railways, public  
transit.



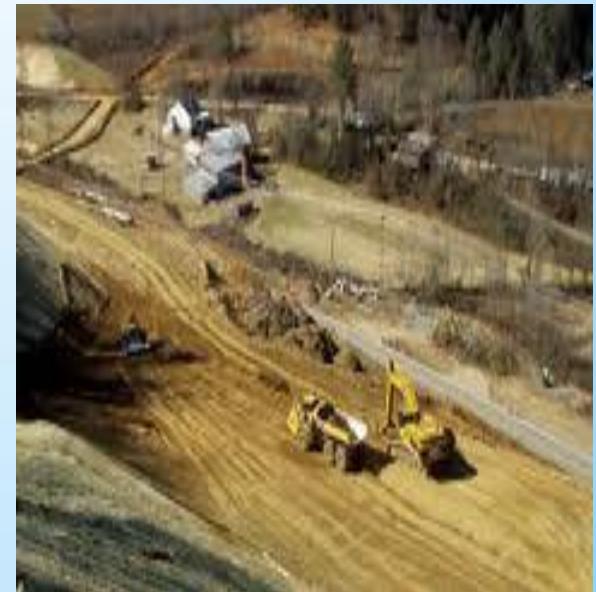
# What is a Protected Corridor?

- **Temporary restriction on development placed upon properties located within a proposed highway alignment.**
- **Helps ensure availability of proposed locations for large-scale projects, and fulfillment of a community's long-range highway and development plans.**
- **Environmental and design studies guide which proposed alignments are protected.**



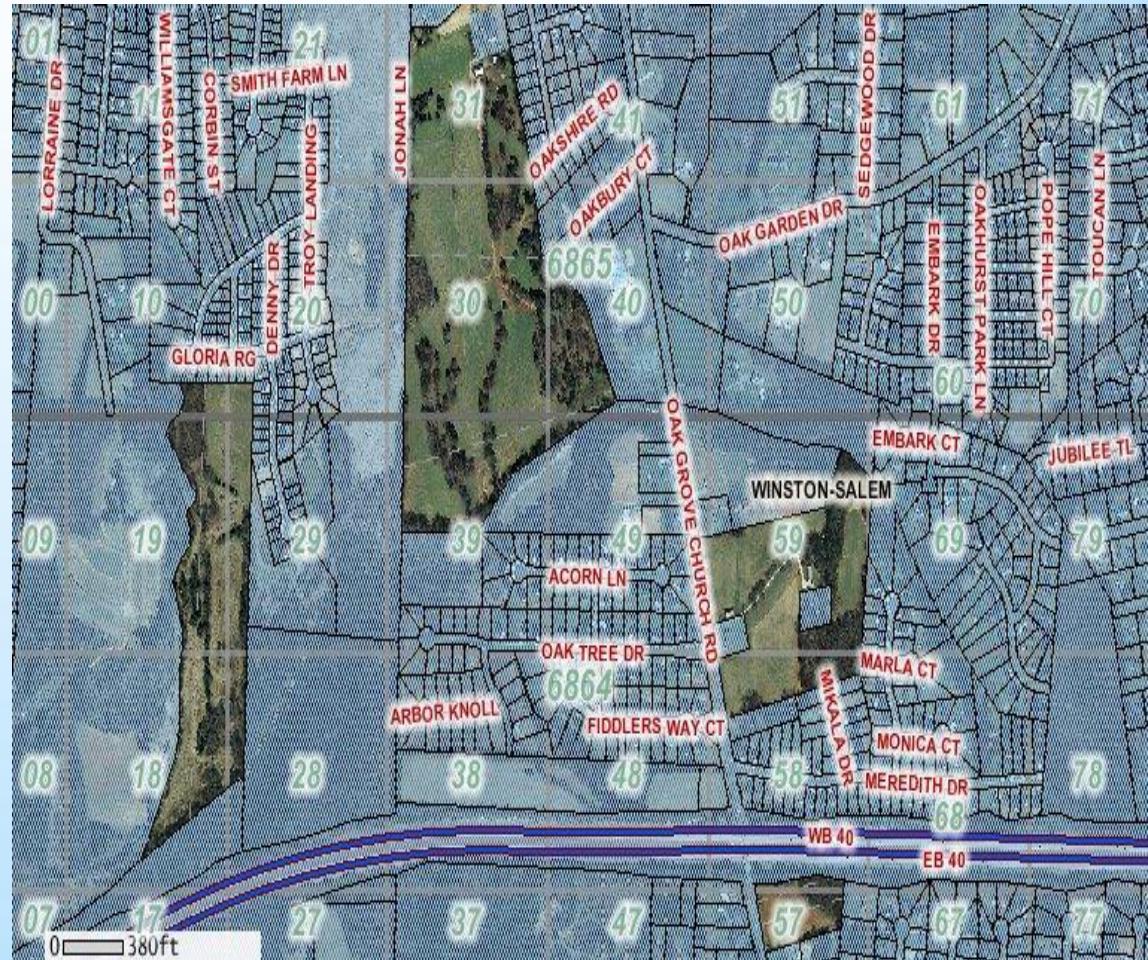
# Purpose of the Protected Corridor

- Limit new development that could eliminate an otherwise desirable transportation route from consideration.
- Minimize additional residential or business relocations and disruptions to neighborhoods.
- Limit significant increases in future ROW costs associated with impacts to developed residential and commercial properties.



# Encroaching Development

- \* Developers in Winston-Salem have built subdivisions in path of Winston-Salem Northern Beltway Eastern Loop, U-2579.
- \* No corridor protection was in place.



# Encroaching Development

- NCDOT adopted corridor protection in 2008 for Eastern Loop.
- Newly built subdivisions were affected, potentially increasing number of relocatees.



# Encroaching Development

- **Proposed I-540 Southern Wake Expressway. R-2721.**
- **Jameson Park area.**
- **Development moving southward in Wake County.**



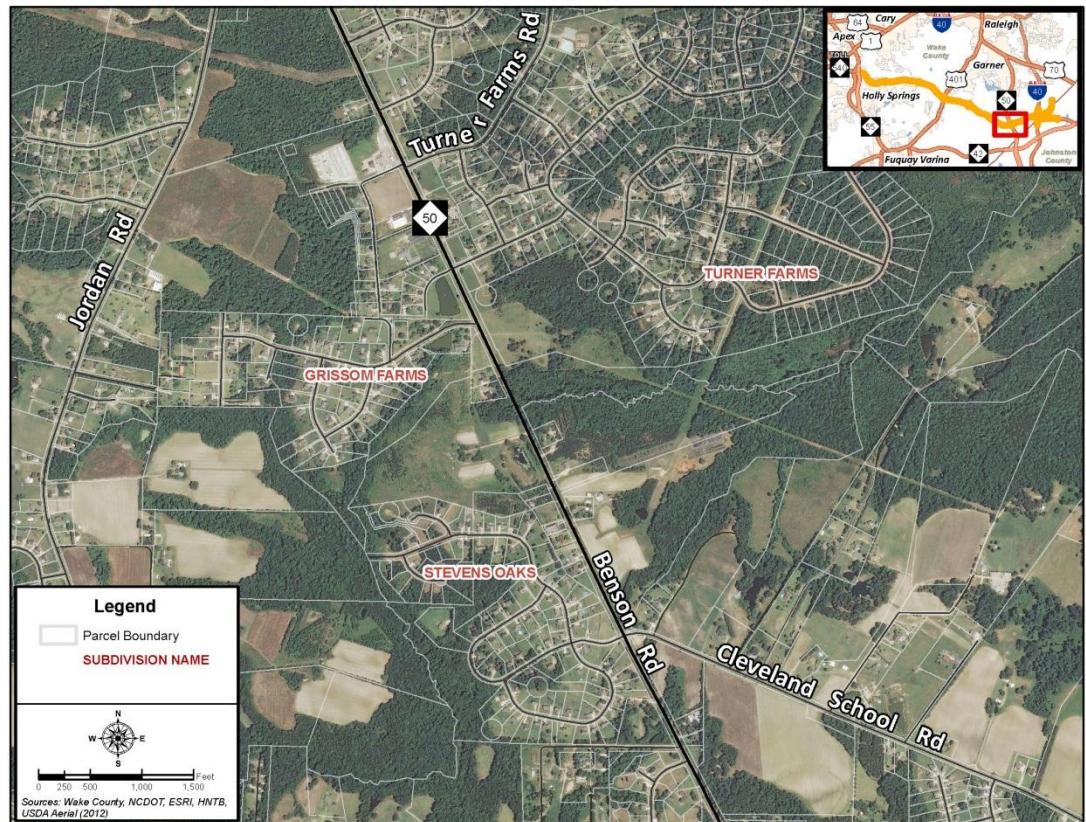
# Encroaching Development

- Protected Corridor shown in Orange.
- Environmental pre-screening indicated “Orange” route was a good candidate for additional study.



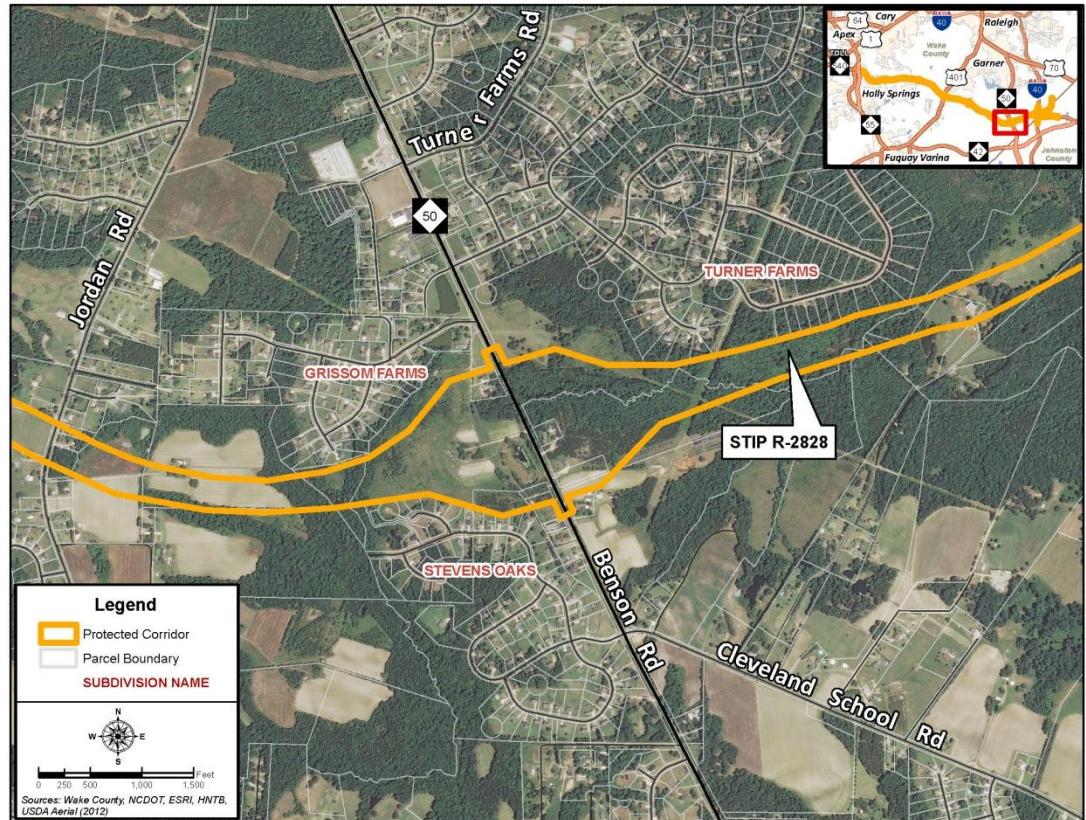
# Encroaching Development

- N.C. 50 and Benson Road area

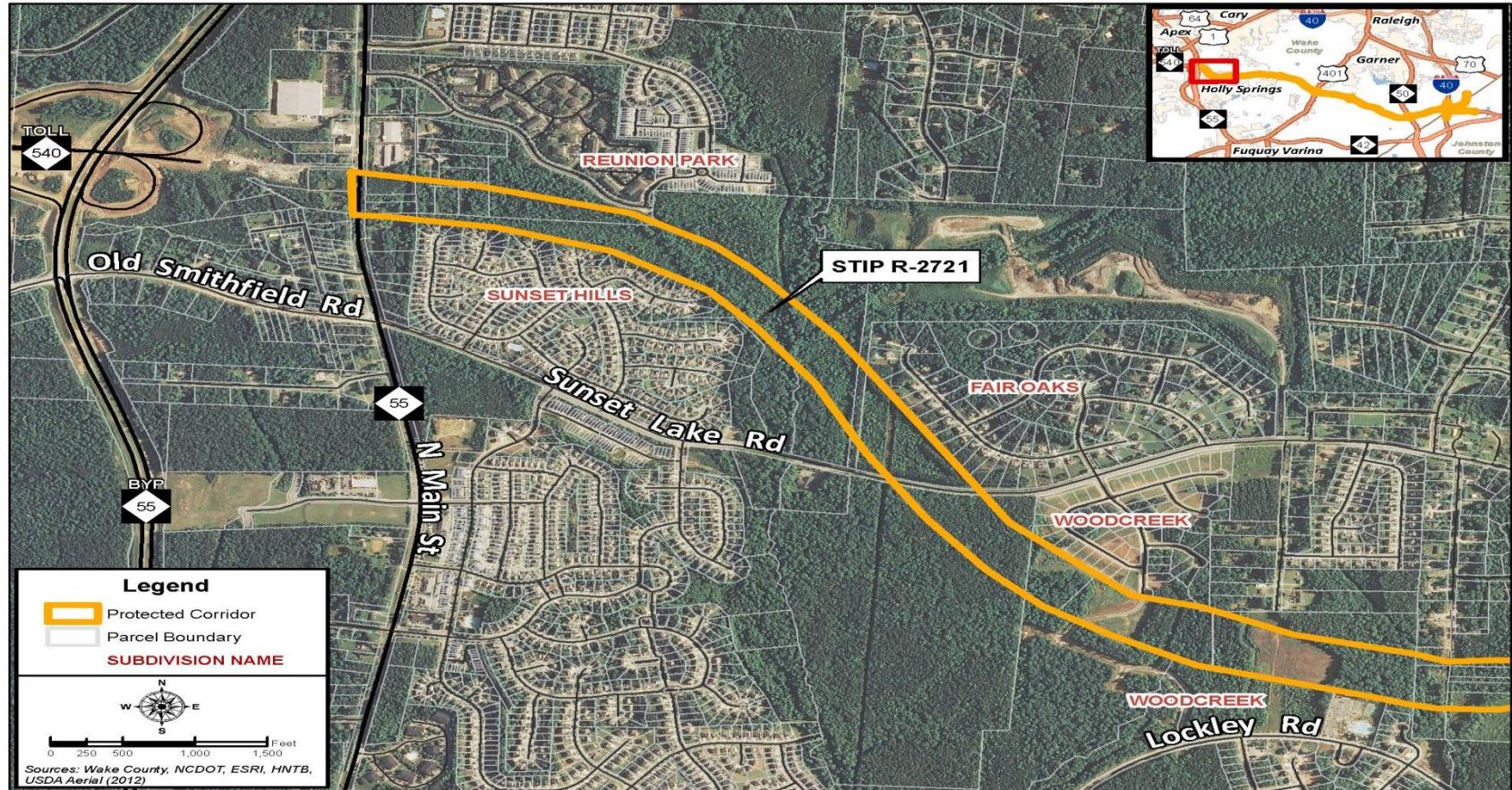


# Encroaching Development

- N.C. 50 and Benson Road area
- Development approaches major interchange proposed for Orange route, R-2721.



# Encroaching Development



Sunset Lake area. Southern Wake Co. R-2721.

# How long can a property be in a Protected Corridor?

- \* DOT reviews the need for protected corridors that have been in place for 10 years or more to determine if protection is still desirable.
- \* Input from local governments, MPOs, or RPOs is a major element of this review.
- \* Maps can be deleted or amended. N.C.G.S. § 136-44.50



# Selection of Protected Corridors

- Candidate projects for selection as protected corridors are limited to major control of access facilities where pressure from development is existing or anticipated.
- Generally, all new location freeways are considered for corridor protection once the preferred alternative alignment is selected.



# Current Transportation Corridor Official Map Summary

## Corridor Maps Filed On Proposed Projects

TIP Project No.	County	Description	Date of Adoption by BOT	Record Register of Deeds
R-2576	CURRITUCK	MID CURRITUCK BRIDGE (SOUTH OF COROLLA ON NC 12)	7/8/1992	7/15/1992
R-2721	WAKE	SOUTHERN WAKE EXPRESSWAY (NC 55 SOUTH TO US 401 SOUTH)	8/2/1996	8/6/1996
R-2828	JOHNSTON	SOUTHERN WAKE EXPRESSWAY (US 401 SOUTH TO I-40)	3/7/1997	3/10/1997
R-2247	FORSYTH	WINSTON-SALEM WESTERN LOOP (US 158 TO US 52)	10/3/1997	10/6/1997
R-2250	PITT	GREENVILLE SOUTHWEST BYPASS (SR 1125 FORLINES ROAD TO US 264)	5/7/2009	4/16/2009

# Right Of Way Acquisition In Progress For Part Or All Of Project

<u>TIP Project No.</u>	<u>County</u>	<u>Description</u>	<u>Date of Adoption by BOT</u>	<u>Record Register of Deeds</u>
U-2519	CUMBERLAND D	FAYETTEVILLE OUTER LOOP (SOUTH OF CUMBERLAND COUNTY LINE TO NORTH OF SR 1400)	10/2/1992	10/21/1992
	ROBESON	AMENDED	9/6/2001	9/11/2001
		AMENDED	6/1/2006	6/6/2006
U-2524	GUILFORD	GREENSBORO WESTERN LOOP (I-85 TO LAWNDALE DRIVE)	8/2/1996	8/8/1996
U-2525	GUILFORD	GREENSBORO EASTERN AND NORTHERN LOOP (LAWNDALE DRIVE TO NORTH OF I-40/85)	10/4/1996	10/7/1996
		AMENDED	9/8/2011	3/5/2012
R-2413	GUILFORD	US 220-NC 68 CONNECTOR	6/6/1997	6/10/1997
	ROCKINGHAM	(SR 2133 TO THE HAW RIVER)		
R-2707	CLEVELAND	SHELBY BYPASS (WEST OF SR 1162 PEACH TREE ROAD TO WEST OF SR 1001 STONEY POINT ROAD)	2/4/2010	5/25/2010
U-2579	FORSYTH	WINSTON-SALEM NORTHERN BELTWAY EASTERN SECTION (US 52 TO US 311)	1/8/2009	11/26/2008

# Transportation Corridor Official Maps

## Completed Projects

TIP Project No.	County	Description	Date of Adoption by BOT	Record Register of Deeds
R-211E	MECKLENBURG	CHARLOTTE SOUTHERN OUTER LOOP	7/7/1989	8/18/1989
Complete		(NC 16 TO US 74)		
		AMENDED	7/12/1991	8/9/1991
R-2248	MECKLENBURG	CHARLOTTE WESTERN OUTER LOOP	7/7/1989	8/18/1989
Complete		(I-77 TO NC 49)		
R-2123	MECKLENBURG	CHARLOTTE EASTERN OUTER LOOP	4/6/1990	4/25/1990
Complete		(US 74 TO I-85)		
R-609I	GUILFORD	US 311 HIGH POINT EAST BELT	12/6/1990	12/20/1990
Complete	RANDOLPH	(SR 1154 TO EXISTING US 311 E. OF ARCHDALE)		
R-2641	WAKE	EAST WAKE EXPRESSWAY	1/4/1991	1/11/1991
Complete		(US 64 TO SR 1007)		
		AMENDED	4/2/1993	4/23/1993
R-2547	WAKE	US 64 BYPASS	1/4/1991	1/11/1991
Complete		(I-440 TO US 64 EAST)		
		AMENDED	4/2/1993	4/23/1993
		AMENDED	7/12/1996	8/1/1996

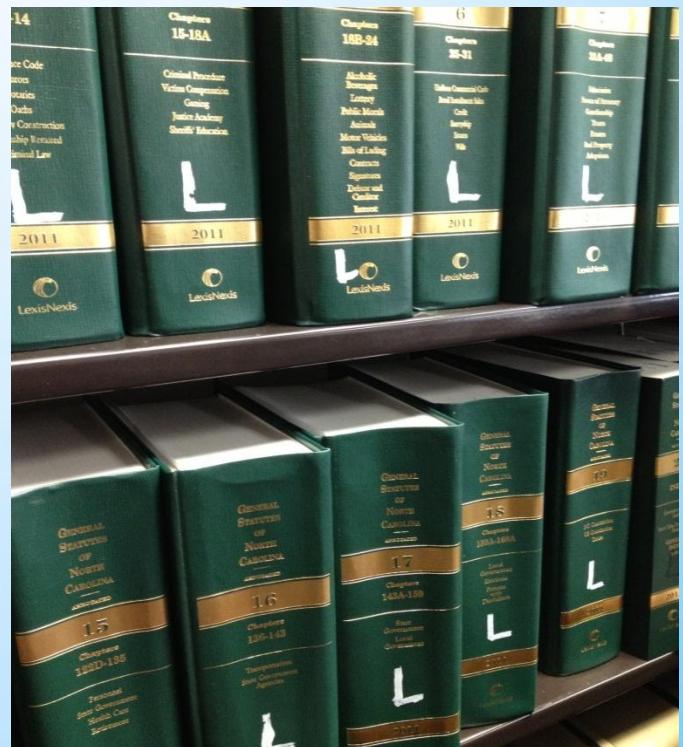
# Transportation Corridor Official Maps

## Completed Projects

TIP Project No.	County	Description	Date of Adoption by BOT	Record Register of Deeds
R-2000	WAKE	NORTHERN WAKE EXPRESSWAY	7/12/1991	7/19/1991
Complete	DURHAM	(WEST OF NC 55 TO US 64) AMENDED		
R-512	RICHMOND	US 74 ROCKINGHAM HAMLET BYPASS (US 74 E. OF PEE DEE RIVER TO US 74 WEST OF SCOTLAND COUNTY LINE)	11/5/1993	11/15/1993
Complete	MECKLENBURG	CHARLOTTE WESTERN OUTER LOOP (NC 49 TO NC 27) (NC 27 TO I-85)	3/4/1994	3/9/1994
R-2248	G		5/6/1994	7/14/1994
Complete	WAKE	WESTERN WAKE EXPRESSWAY (WEST OF NC 55 TO NC 55 SOUTH)	8/6/1993	8/13/1993
U-2307	CATAWBA	HICKORY EASTSIDE THOROUGHFARE (STARTOWN ROAD TO SPRINGS ROAD)	7/2/1993	9/10/1993
Complete	LEE	US 421/NC 87 SANFORD BYPASS (WEST OF SR 1400 TO NC 87)	2/5/1999	2/9/1999
R-2417	LENOIR	US 70 GOLDSBORO BYPASS	7/11/2002	7/17/2002
Complete	WAYNE	(WEST OF NC 581 TO WEST OF SR 1714)		

# Statutory Authority

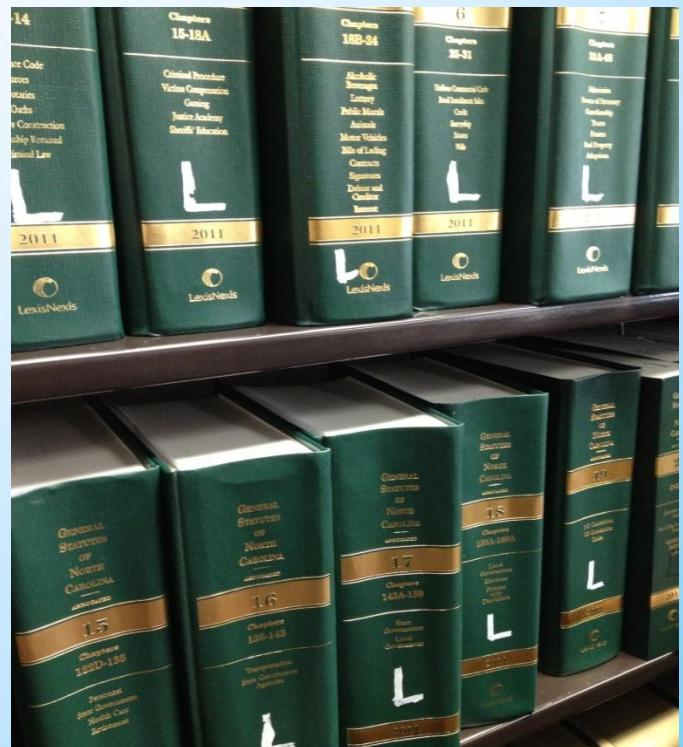
- \* General acquisition authority: § 136-18, 19, et seq.
- \* Map Act Authority: § 136-44.50 et seq.
  - \* List entities that may adopt maps.
  - \* Map parameters and filing procedures.



# Statutory Authority

## The Map Act

- \* § 136-44.51
- \* Temporary 3-year restriction on new improvements.
- \* Restrictions sunset 3 years after submission of building permit application or map determination request.



# Statutory Authority

## *The Map Act*

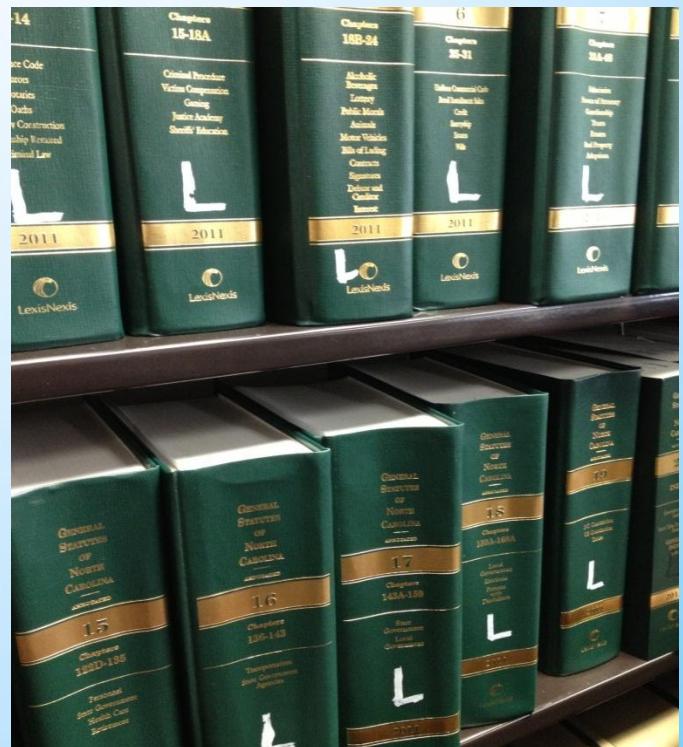
- \* **§ 136-44.52**
- \* **Variances from map's restrictions can be granted.**
- \* **Owner must make application.**
- \* **NCDOT has approved 85% of variance requests Statewide.**



# Statutory Authority

## The Map Act

- \* § 136-44.53
- \* Advance acquisitions may be made.
- \* Owner must apply.
- \* Undue Hardships.
- \* Protective purchases.



Bldg permit restrictions Sunset 3 years after submittal of request

136-44.51

Map Act  
§ 136-44.50  
et seq.

Owner applies for Hardship Acquisition

136-44.53

Owner applies for Variance from Bldg Permit Restrictions

136-44.52

# N.C. Statutory Authority

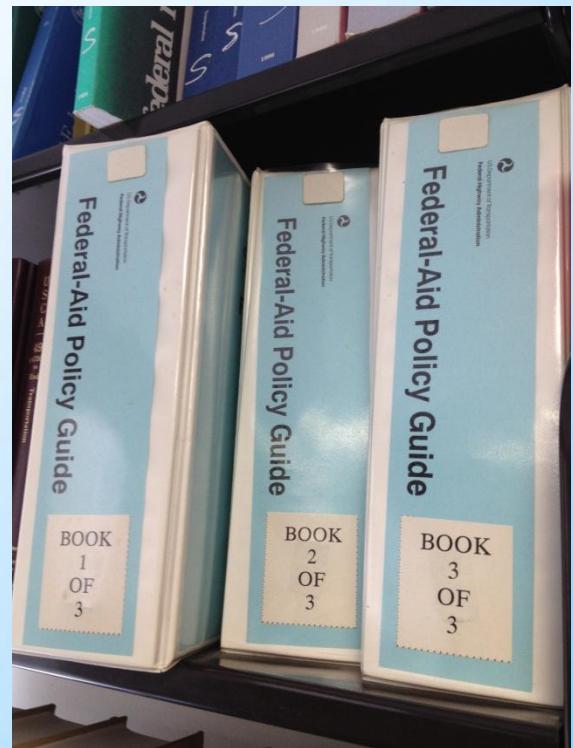
## *The Map Act*

- \* § 136-44.54
- \* NCDOT Appraisals of advance acquisitions for right of way must comply with federal rules.



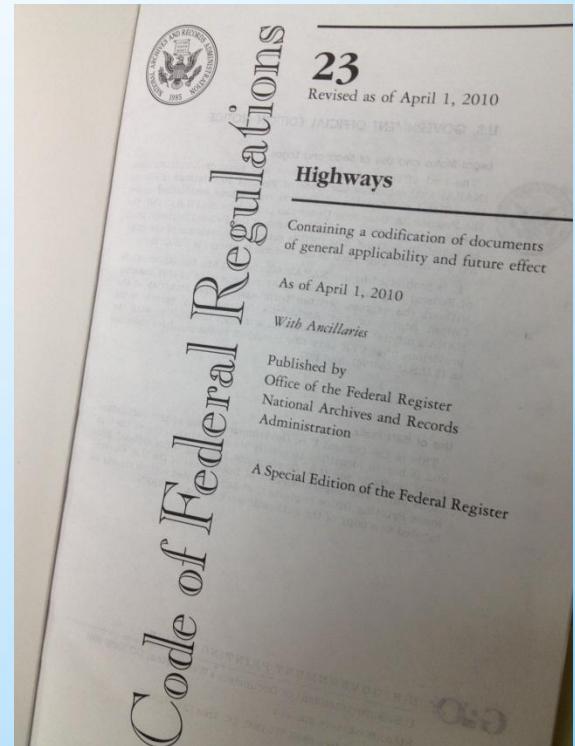
# Federal Law and Rules

- \* **Federal Highway Admin. (FHWA) can reimburse NCDOT for early acquisitions that meet federal guidelines.**



# Federal Law and Rules

- \* 49 C.F.R. § 710.501, 710.503.
- \* Early acquisitions may be used for corridor preservation, access management, or other purposes.



# Tax Benefits for Property Inside Protected Corridors

- \* 80 % reduction in tax rate on vacant property. § 105-277.9
- \* 50% reduction in assessed value for improved property. § 105-277.9A

# Legal Update on Pending Lawsuits

- \* **Beroth Oil, et al. v. NCDOT. Forsyth Co.**
- \* **Kirby, Harris, et al. v. NCDOT. Forsyth Co.**
- \* **Deans, et al. v. NCDOT  
NCTA. Wake Co.**

