

# 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

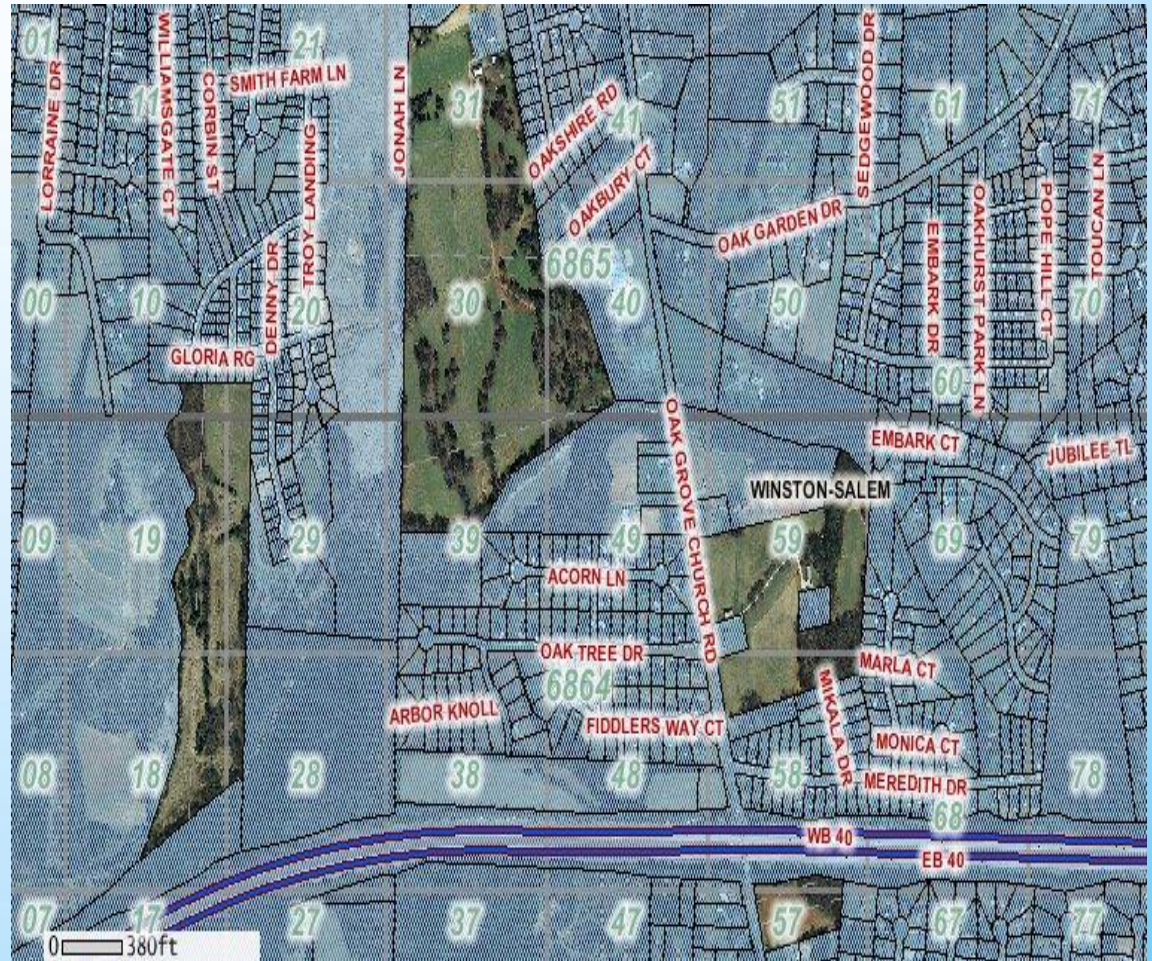
- Limit new development that could eliminate an otherwise desirable transportation route from consideration.
- Minimize additional residential or business relocations and disruptions to neighborhoods.
- Limit significant increases in future ROW costs associated with impacts to developed residential and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

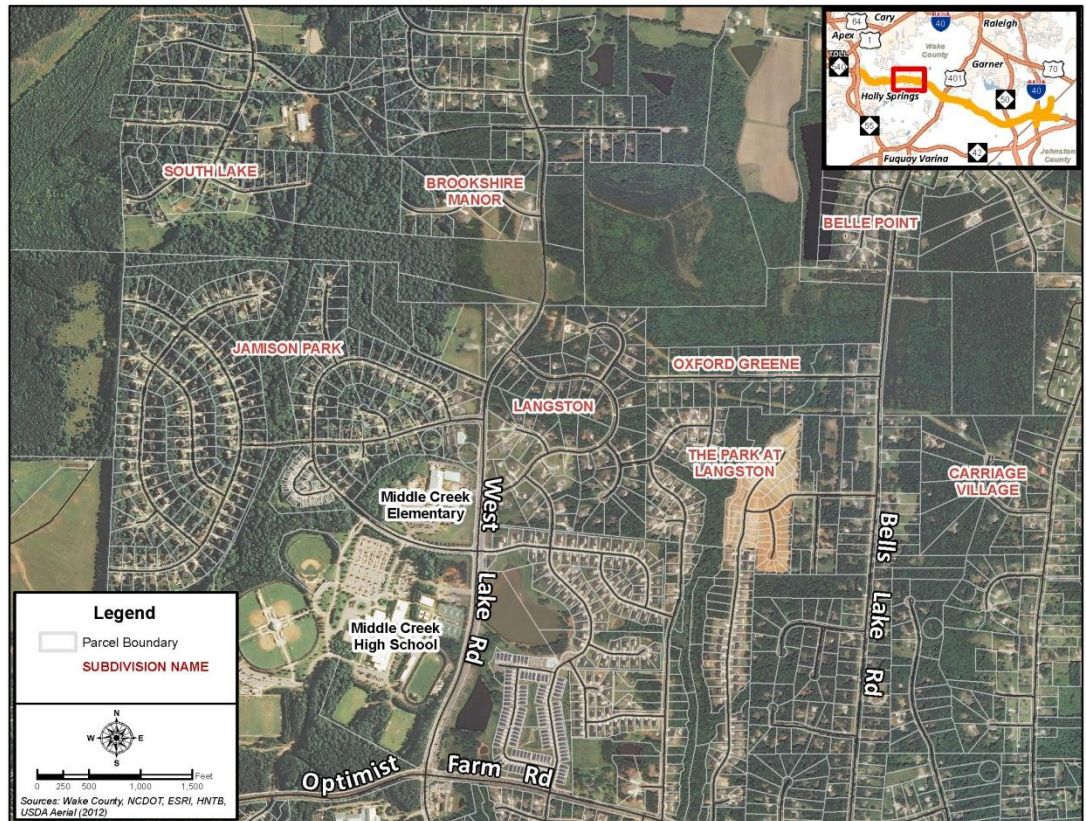
- NCDOT adopted corridor protection in 2008 for Eastern Loop.
- Newly built subdivisions were affected, potentially increasing number of relocatees.





# Encroaching Development

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



# Encroaching Development

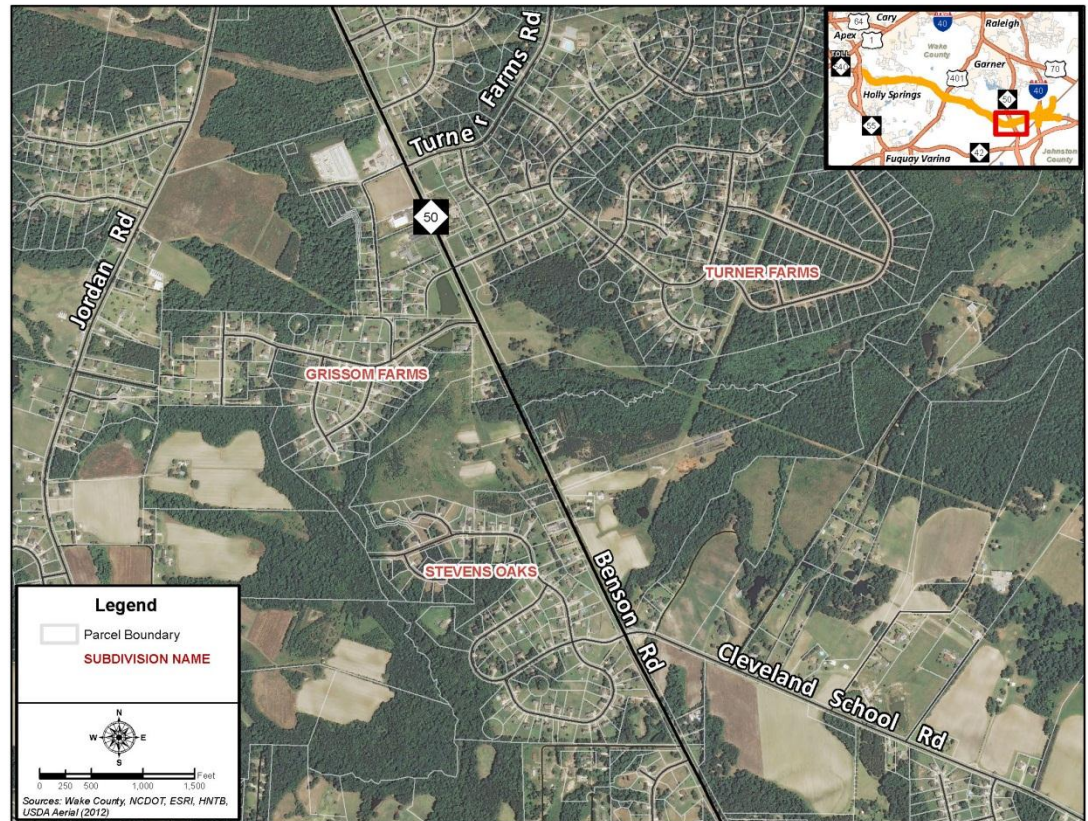
- Protected Corridor shown in Orange.
- Environmental pre-screening indicated “Orange” route was a good candidate for additional study.





# Encroaching Development

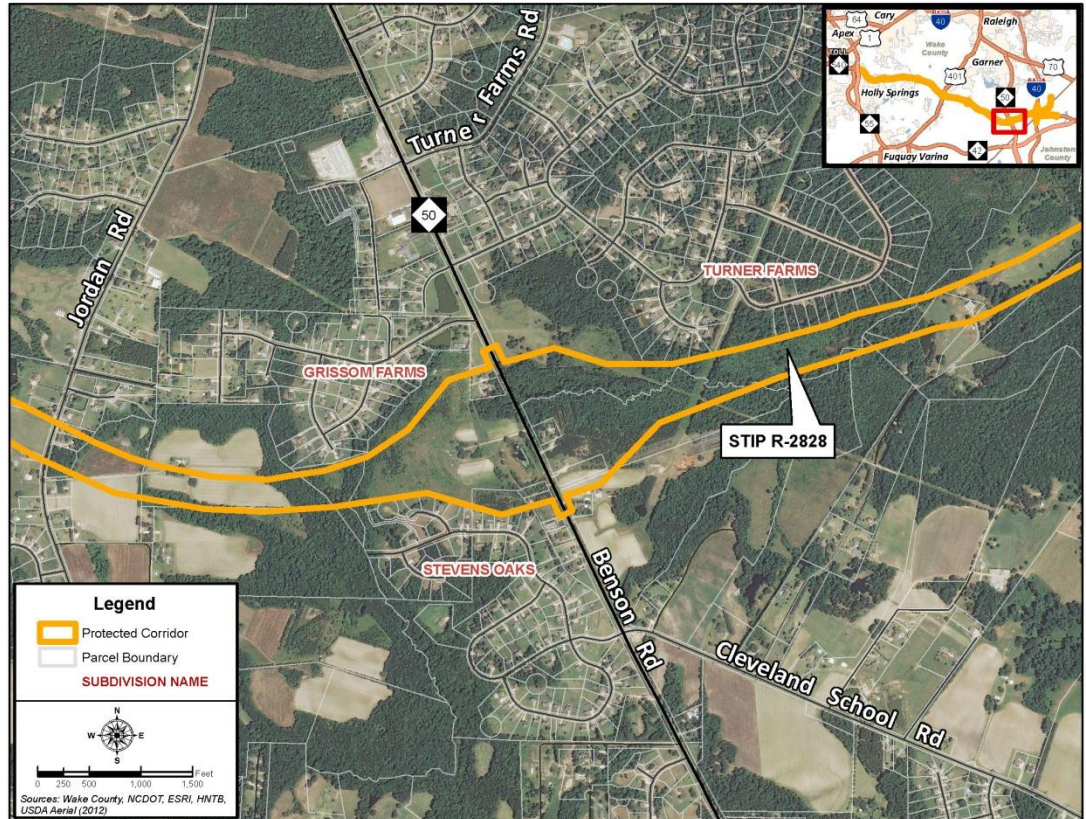
- N.C. 50 and Benson Road area





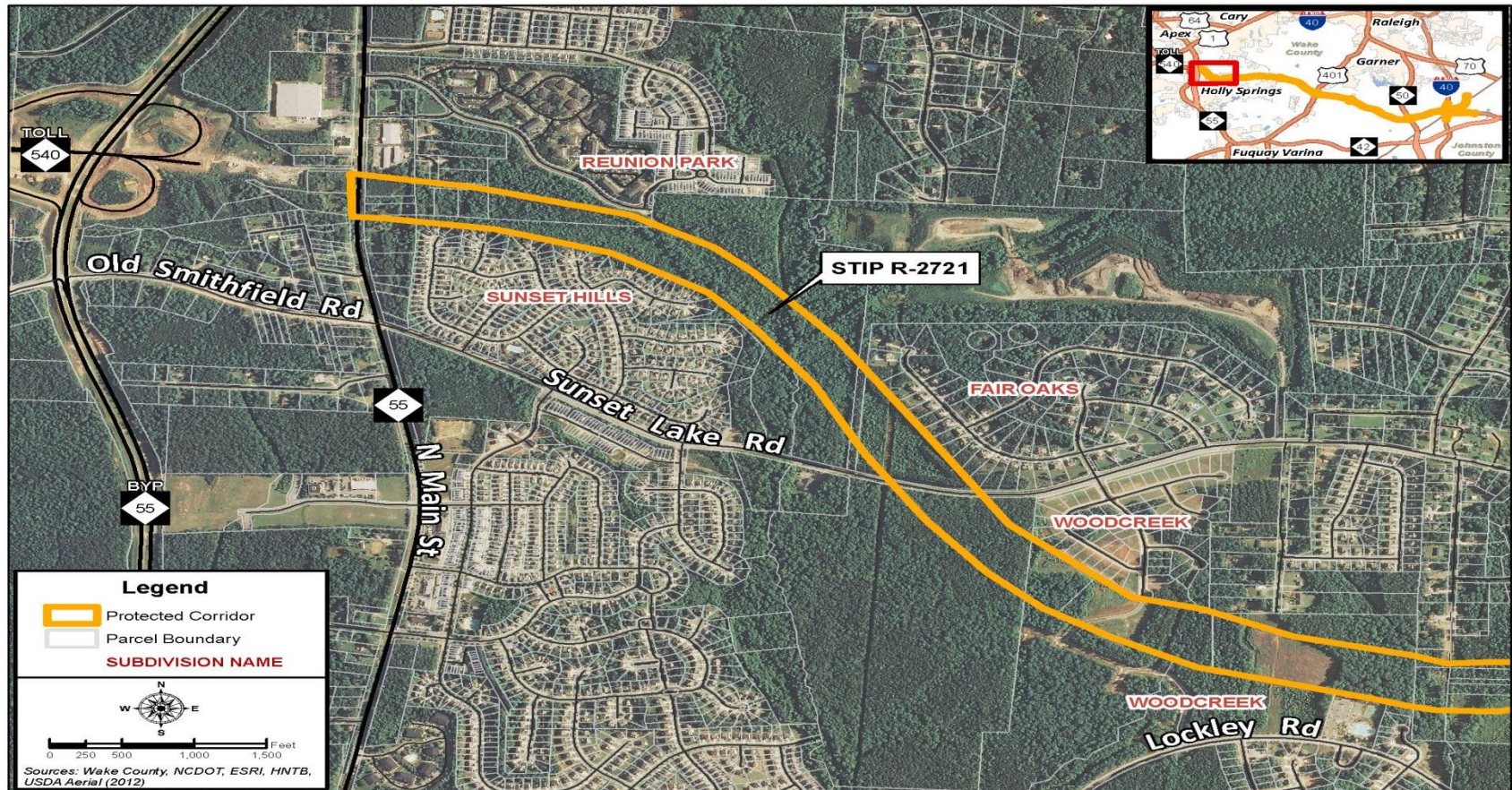
# Encroaching Development

- 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	7/8/1992	7/15/1992
		(SOUTH OF COROLLA ON NC 12)		
R-2721	WAKE	SOUTHERN WAKE EXPRESSWAY	8/2/1996	8/6/1996
		(NC 55 SOUTH TO US 401 SOUTH)		
R-2828	JOHNSTON	SOUTHERN WAKE EXPRESSWAY	3/7/1997	3/10/1997
	WAKE	(US 401 SOUTH TO I-40)		
R-2247	FORSYTH	WINSTON-SALEM WESTERN LOOP	10/3/1997	10/6/1997
		(US 158 TO US 52)		
R-2250	PITT	GREENVILLE SOUTHWEST BYPASS	5/7/2009	4/16/2009
		(SR 1125 FORLINES ROAD TO US 264)		

## 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	FAYETTEVILLE OUTER LOOP	10/2/1992	10/21/1992
	ROBESON	(SOUTH OF CUMBERLAND COUNTY LINE TO NORTH OF SR 1400)		
		AMENDED	9/6/2001	9/11/2001
		AMENDED	6/1/2006	6/6/2006
U-2524	GUILFORD	GREENSBORO WESTERN LOOP	8/2/1996	8/8/1996
		(I-85 TO LAWNDAL DRIVE)		
U-2525	GUILFORD	GREENSBORO EASTERN AND NORTHERN LOOP	10/4/1996	10/7/1996
		(LAWNDAL DRIVE TO NORTH OF I-40/85)		
		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	1/8/2009	11/26/2008
		EASTERN SECTION (US 52 TO US 311)		



# Transportation Corridor Official Maps

## Completed Projects

TIP Project No.	County	Description	Date of Adoption by BOT	Record Register of Deeds
R-211E Complete	MECKLENBURG	CHARLOTTE SOUTHERN OUTER LOOP (NC 16 TO US 74)	7/7/1989	8/18/1989
		AMENDED	7/12/1991	8/9/1991
R-2248 Complete	MECKLENBURG	CHARLOTTE WESTERN OUTER LOOP (I-77 TO NC 49)	7/7/1989	8/18/1989
R-2123 Complete	MECKLENBURG	CHARLOTTE EASTERN OUTER LOOP (US 74 TO I-85)	4/6/1990	4/25/1990
R-609I Complete	GUILFORD RANDOLPH	US 311 HIGH POINT EAST BELT (SR 1154 TO EXISTING US 311 E. OF ARCHDALE)	12/6/1990	12/20/1990
R-2641 Complete	WAKE	EAST WAKE EXPRESSWAY (US 64 TO SR 1007)	1/4/1991	1/11/1991
		AMENDED	4/2/1993	4/23/1993
R-2547 Complete	WAKE	US 64 BYPASS (I-440 TO US 64 EAST)	1/4/1991	1/11/1991
		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	9/2/1993	9/10/1993
R-512	RICHMOND	US 74 ROCKINGHAM HAMLET BYPASS	11/5/1993	11/15/1993
Complete		(US 74 E. OF PEE DEE RIVER TO US 74 WEST OF SCOTLAND COUNTY LINE)		
R-2248	MECKLENBURG	CHARLOTTE WESTERN OUTER LOOP	3/4/1994	3/9/1994
Complete		(NC 49 TO NC 27)		
		(NC 27 TO I-85)	5/6/1994	7/14/1994
R-2635	WAKE	WESTERN WAKE EXPRESSWAY	8/6/1993	8/13/1993
Complete		(WEST OF NC 55 TO NC 55 SOUTH)		
U-2307	CATAWBA	HICKORY EASTSIDE THOROUGHFARE	7/2/1993	9/10/1993
Complete		(STARTOWN ROAD TO SPRINGS ROAD)		
R-2417	LEE	US 421/NC 87 SANFORD BYPASS	2/5/1999	2/9/1999
Complete		(WEST OF SR 1400 TO NC 87)		
R-2554	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

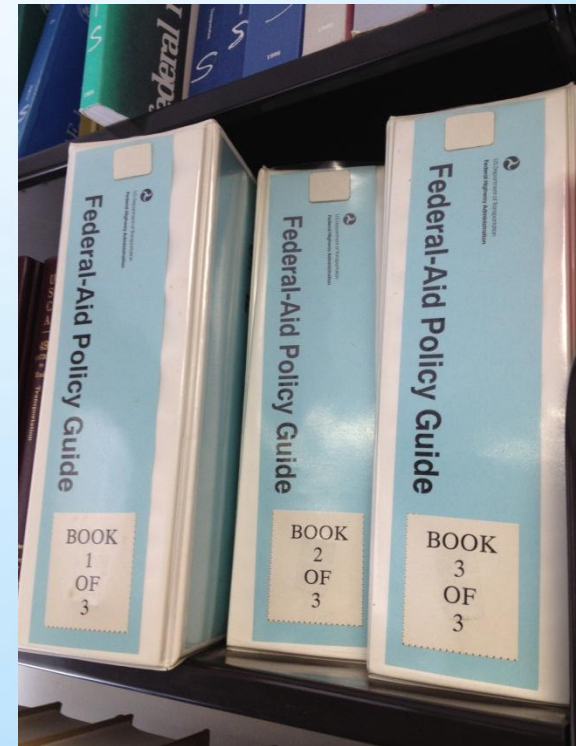
## *The Map Act*

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



# Federal Law and Rules

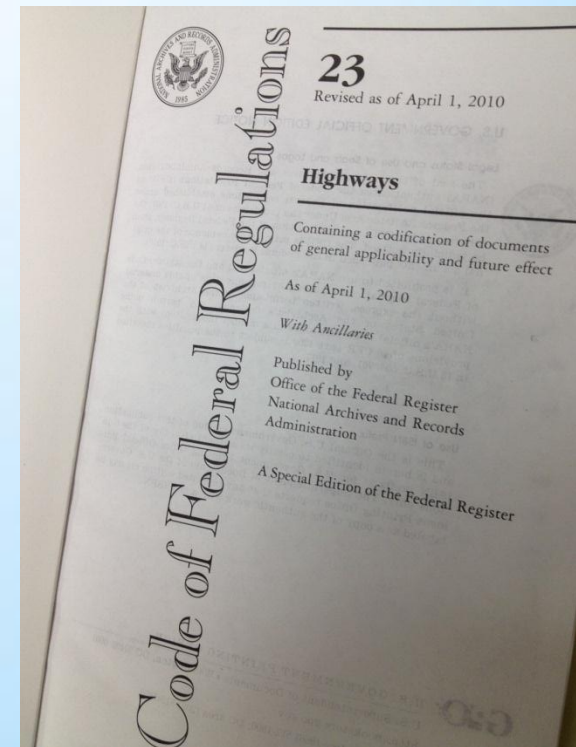
- \* Federal Highway Admin. (FHWA) can reimburse NCDOT for early acquisitions that meet federal guidelines.





# 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.

