

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 859*
Senate Commerce Committee Substitute Adopted 7/26/06

Short Title: Amend Transportation Corridor Map Act.

(Public)

Sponsors:

Referred to:

March 23, 2005

A BILL TO BE ENTITLED

1
2 AN ACT TO AUTHORIZE THE ADOPTION OR AMENDMENT OF A
3 TRANSPORTATION CORRIDOR OFFICIAL MAP BY THE WILMINGTON
4 URBAN AREA MPO.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 136-44.50(a) reads as rewritten:

7 "(a) A transportation corridor official map may be adopted or amended by any of
8 the following:

- 9 (1) The governing board of any city for any thoroughfare included as part
10 of a comprehensive plan for streets and highways adopted pursuant to
11 G.S. 136-66.2 or for any proposed public transportation corridor
12 included in the adopted long-range transportation plan.
- 13 (2) The Board of Transportation for any portion of the existing or
14 proposed State highway system or for any public transportation
15 corridor, to include rail, that is in the Transportation Improvement
16 Program.
- 17 (3) Regional public transportation authorities created pursuant to Article
18 26 of Chapter 160A of the General Statutes or regional transportation
19 authorities created pursuant to Article 27 of Chapter 160A of the
20 General Statutes for any proposed public transportation corridor, or
21 adjacent station or parking lot, included in the adopted long-range
22 transportation plan.
- 23 (4) The North Carolina Turnpike Authority for any project being studied
24 pursuant to G.S. 136-89.183.
- 25 (5) The Wilmington Urban Area Metropolitan Planning Organization for
26 any project that is within its urbanized boundary and identified in
27 G.S. 136-179.
- 28

1 Before a city adopts a transportation corridor official map that extends beyond the
2 extraterritorial jurisdiction of its building permit issuance and subdivision control
3 ordinances, or adopts an amendment to a transportation corridor official map outside the
4 extraterritorial jurisdiction of its building permit issuance and subdivision control
5 ordinances, the city shall obtain approval from the Board of County Commissioners.

6 (a1) No transportation corridor official map shall be adopted or amended, nor may
7 any property be regulated under this Article until:

8 (1) The governing board of the city, the regional transportation authority,
9 the North Carolina Turnpike Authority, or the Department of
10 Transportation has held a public hearing in each county affected by the
11 map on the proposed map or amendment. Notice of the hearing shall
12 be provided:

13 a. By publication at least once a week for four successive weeks
14 prior to the hearing in a newspaper having general circulation in
15 the county in which the transportation corridor to be designated
16 is located.

17 b. By two week written notice to the Secretary of Transportation,
18 the Chairman of the Board of County Commissioners, and the
19 Mayor of any city or town through whose corporate or
20 extraterritorial jurisdiction the transportation corridor passes.

21 c. By posting copies of the proposed transportation corridor map
22 or amendment at the courthouse door for at least 21 days prior
23 to the hearing date. The notice required in sub-subdivision a.
24 above shall make reference to this posting.

25 d. By first-class mail sent to each property owner affected by the
26 corridor. The notice shall be sent to the address listed for the
27 owner in the county tax records.

28 (2) A permanent certified copy of the transportation corridor official map
29 or amendment has been filed with the register of deeds. The
30 boundaries may be defined by map or by written description, or a
31 combination thereof. The copy shall measure approximately 20 inches
32 by 12 inches, including no less than one and one-half inches binding
33 space on the left-hand side.

34 (3) The names of all property owners affected by the corridor have been
35 submitted to the Register of Deeds."

36 **SECTION 2.** This act is effective when it becomes law.