

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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PRINCIPAL CLERK

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SENATE BILL DRS15225-MQ-6

Short Title: Yellow Brick Road.

(Public)

Sponsors: Senator Sawyer (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH A TIME LINE FOR THE DEPARTMENT OF
3 TRANSPORTATION TO ACCEPT SUBDIVISION TRANSPORTATION
4 IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM FOR MAINTENANCE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 160D-804 reads as rewritten:

7 "§ 160D-804. Contents and requirements of regulation.

8 ...

9 (c) Transportation and Utilities. –

- 10 (1) The regulation may provide for the dedication of rights-of-way or easements
11 for street and utility purposes, including the dedication of rights-of-way
12 pursuant to G.S. 136-66.10 or G.S. 136-66.11.
- 13 (2) A regulation adopted by a city may provide that in lieu of required street
14 construction, a developer be required to provide funds for city use for the
15 construction of roads to serve the occupants, residents, or invitees of the
16 subdivision or development, and these funds may be used for roads which
17 serve more than one subdivision or development within the area. All funds
18 received by the city pursuant to this subdivision shall be used only for
19 development of roads, including design, land acquisition, and construction.
20 However, a city may undertake these activities in conjunction with the
21 Department of Transportation under an agreement between the city and the
22 Department of Transportation.
- 23 (3) A regulation adopted by a county may provide that in lieu of required street
24 construction, a developer may provide funds to a county to be used for the
25 development of roads to serve the occupants, residents, or invitees of the
26 subdivision or development. All funds received by the county under this
27 subdivision shall be transferred to a city to be used solely for the development
28 of roads, including design, land acquisition, and construction. Any city
29 receiving funds from a county under this subdivision is authorized to expend
30 the funds outside its corporate limits for the purposes specified in the
31 agreement between the municipality and the county.
- 32 (4) Any formula adopted by a local government to determine the amount of funds
33 the developer is to pay in lieu of required street construction shall be based on
34 the trips generated from the subdivision or development. The regulation may
35 require a combination of partial payment of funds and partial dedication of



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1 constructed streets when the governing board determines that a combination
2 is in the best interests of the citizens of the area to be served.

3 For transportation improvements intended to be designated as public under G.S. 136-102.6,
4 the Department of Transportation shall add the transportation improvements to the State highway
5 system for maintenance pursuant to G.S. 136-102.6(d) no later than 90 days after receipt of the
6 filing of the certificate of completion by the engineer of record.

7 "

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