

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 519

Short Title: Yellow Brick Road. (Public)

Sponsors: Senator Sawyer (Primary Sponsor).

Referred to: Rules and Operations of the Senate

April 6, 2021

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

The General Assembly of North Carolina enacts:

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

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

...

(c) Transportation and Utilities. –

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



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.

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