

March 23, 2009

S 761. STREET CONSTRUCTION/DEVELOPER RESPONSIBILITY. Filed 3/23/09. *TO LIMIT THE RESPONSIBILITY OF DEVELOPERS FOR THE COST OF STREET OR HIGHWAY CONSTRUCTION TO THE AMOUNT NECESSARY TO SERVE PROJECTED TRAFFIC GENERATED BY THE DEVELOPMENT.*

Amends GS 153A-331 (regarding the contents and requirements of subdivision control ordinances for planning and regulation of growth by counties) and GS 160A-372 (regarding the contents and requirements of subdivision control ordinances for planning and regulation of growth by municipalities), as the title indicates. Also provides that a subdivision control ordinance may include an agreement with a developer to reimburse up to, but not exceeding 100% of the cost associated with roadway improvements to maintain and enhance the transportation infrastructure.

Amends GS 136-18(29) to expand the policies that the Department of Transportation (DOT) may establish regarding driveway connections into any street or highway that is a part of the state highway system to authorize the DOT to require the construction and public dedication of traffic control devices, medians, channelization, and other improvements by others for driveway connections into any United States route or North Carolina route, and on any secondary road with an average daily traffic volume of 4,000 vehicles per day. Provides that this volume includes the traffic generated by the proposed development. Provides that the minimum traffic volume condition for secondary routes does not apply for improvements required to preserve the safe operations of the street or highway.

Intro. by Brown.

GS 136, 153A, 160A

April 28, 2009

S 761. STREET CONSTRUCTION/DEVELOPER RESPONSIBILITY. Filed 3/23/09. Senate committee substitute makes the following changes to 1st edition. Clarifies in proposed amended GS 136-18(29) that the Department of Transportation may require the construction and public dedication of acceleration and deceleration lanes, traffic storage lanes, traffic control devices, medians, channelization, and other improvements for the driveway connections on any secondary road route with an average daily traffic volume of 4,000 vehicles per day *or more*, including the traffic generated by a proposed development.

July 6, 2010

S 761. STREET CONSTRUCTION/ DEVELOPER RESPONSIBILITY. Filed 3/23/09. House committee substitute deletes all the provisions of the 2nd edition and replaces it with *AN ACT TO STUDY REIMBURSING A DEVELOPER FOR IMPROVEMENTS MADE TO PUBLIC STREETS OR HIGHWAYS FOR A DEVELOPMENT AND TO APPORTION SUCH COSTS TO ANY OTHER DEVELOPERS THAT HAVE ACCESS TO SUCH IMPROVEMENTS BEFORE OR AFTER THE IMPROVED PORTION OF THE PUBLIC STREET OR HIGHWAY HAS BEEN ACCEPTED BY THE STATE OR LOCAL GOVERNMENT FOR MAINTENANCE AS A PUBLIC STREET OR HIGHWAY.*

As the title indicates. Directs the Joint Legislative Oversight Committee to report its findings and any recommended legislation to the 2011 Regular Session of the General Assembly upon its convening. Provides that the Committee may consult with a variety of entities including local governments and any other person or group that may provide relevant information to the study.