

APPENDIX B – MEMORANDUM OF UNDERSTANDING



North Carolina Capital Area Metropolitan Planning Organization US 1 Corridor

**Memorandum of Understanding Between
the Counties of Franklin and Wake; the City of Raleigh; the Towns of Wake Forest,
Franklinton, and Youngsville; the Capital Area Transit; the Kerr Area Rural Transit
System; the Triangle Transit Authority; the Capital Area Metropolitan Planning
Organization, and the North Carolina Department of Transportation**

THIS MEMORANDUM OF UNDERSTANDING is made and entered into on the date herein below last written, by and between the Counties of Franklin and Wake; the City of Raleigh and the Towns of Wake Forest, Franklinton, and Youngsville; the Capital Area Transit; the Kerr Area Rural Transit System; the Triangle Transit Authority; the Capital Area Metropolitan Planning Organization, and the North Carolina Department of Transportation for land use and transportation planning purposes along Highway US-1 referred to hereinafter as the Corridor.

Background

Between November 2005 and September 2006, a project to study the US 1 Corridor between Interstate Highway 540 in Wake County and Park Avenue/US 1A in Franklin County was funded by the North Carolina Capital Area Metropolitan Planning Organization (NC Capital Area MPO), the City of Raleigh, Town of Wake Forest, the North Carolina Department of Transportation (NCDOT), and the Triangle Transit Authority (TTA). This is referred to as the US 1 Corridor Study Phase I. Subsequently, between December 2011 and September 2012, a project to study the US 1 Corridor from Park Avenue/US 1A to the Vance County line in Franklin County was funded by the NC Capital Area MPO. This is referred to as the US 1 Corridor Study Phase II. [The term "Corridor" in this Memorandum refers the area lying roughly within one thousand feet in either direction of the centerline of the US 1 right of way between the highway's intersections with Interstate 540 in Wake County, and to the Vance County line in Franklin County.]

Increased development pressures along the US 1 corridor, and the resulting vehicular burdens, have stressed the roadway's capability to serve as a reliable transportation facility for its many users. Moreover, all parties recognized four key factors: 1) considerable physical improvement will be required to address corridor issues; 2) current and foreseeable future land uses along the corridor need to be evaluated before making any capital investment in improving the roadway itself, 3) the need to preserve future right-of-way and ensure connections to existing and new developments must be addressed, and 4) transportation planning must seek to include balanced, multi-modal improvements.

US 1 Corridor Study Phase I: Beginning with this broad consensus, the NC Capital Area MPO, the City of Raleigh, the Town of Wake Forest, NCDOT and TTA hired the consulting firm of RS&H to perform the US 1 Corridor Study Phase I. The contract for these planning services was executed in November 2005; and the consultant's analysis began shortly thereafter.

Public Information Workshops were held in the Town of Wake Forest on March 14, 2006 and July 27, 2006. The consultant's work has been guided by a steering committee comprised of



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representatives of all municipalities and counties having land use planning jurisdiction over property along the Corridor. Also included in this steering committee were representatives of economic development, the Wake County Public School System, private sector and neighboring planning organizations affected by the US 1's capacity, NCDOT, and the four transit organizations that have or can provide service to the area. In particular, corresponding to various Corridor segments show the existing and proposed land uses for each segment. These segment maps also display the recommended improvements to the US-1 roadway and to roads and streets connected to US 1 within the Corridor.

US 1 Corridor Study Phase II: The NC Capital Area MPO hired the consulting firm of Parsons Brinckerhoff, Inc. to perform the Corridor Study Phase II. The contract for these planning services was executed in December 2011; and the consultant's analysis began shortly thereafter.

Public Information Workshops were held in the Town of Franklinton on March 6, 2012 and July 19, 2012. The consultant's work has been guided by a steering committee comprised of representatives of all municipalities and counties having land use planning and transportation planning jurisdiction over property along the Corridor. Also included in this steering committee were representatives of economic development, private sector and neighboring planning organizations affected by the US 1's capacity, NCDOT, and two transit organizations that have or can provide service to the area. In particular, corresponding to various Corridor segments show the existing and proposed land uses for each segment. These segment maps also display the recommended improvements to the US 1 roadway and to roads and streets connected to US 1 as well as South East High Speed Rail within the Corridor.

Understanding

1. **Parties to this Understanding:** The Parties are:
 - A. The municipalities and the counties having direct jurisdiction over 1) land use ordinances and determinations of whether land uses within the US 1 Corridor Study Area are in compliance with such ordinances; or 2) public investments along the corridor.
 - B. The inter-governmental planning organizations having administrative duties for transportation planning along the US 1 Corridor.
 - C. The North Carolina Department of Transportation (NCDOT).
2. **Corridor Study Recommendations:** Each Party commits to accept the recommendations as compiled within the US 1 Corridor Study Report (RS&H, 2006) and the US 1 Corridor Study Phase II Report (Parsons Brinckerhoff, 2012) and to ensure that consistent and compatible land use decisions are made within the Party's jurisdiction as well as extraterritorial jurisdiction along the corridor.
3. **Transportation Management:** Each Party recognizes the current limitations to the transportation infrastructure, and therefore commits to a multi-jurisdictional approach to address transportation improvements. The transportation improvements include and are not limited to:



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- A. access management and cross-sectional expansions,
- B. multi-modal improvements (bicycle-pedestrian, transit, etc),
- C. site planning standards for the corridor and its frontage/backage road system, and
- D. creating a local connectivity plan for local road access as a complement to improvements along US 1.

Inducements to Other Parties: Each Party understands that a commitment to its respective component of the US 1 Corridor Plan has induced other Parties to make like commitments for its respective segments of the US 1 Corridor Plan insofar as that Party has jurisdiction over the land uses within its US 1 Corridor Plan segment.

4. Future Collaboration Among Parties: The US 1 Corridor Plan designates that certain areas along the Corridor require collaboration where their land use jurisdiction boundaries of parties abut. In such cases, each Party commits its best efforts to undertake that collaborative planning, including providing direction to its planning staff and/ or consultants involved in such planning purposes.

5. Council of Planning: This Council shall be chosen from but not limited to the members of the Capital Area MPO, and shall be comprised of at least one representative from each Party, knowledgeable in regional planning issues. The Parties agree that, over time, periodic reviews of the land uses and public investment along the Corridor will be required. Mindful of future growth and planned transportation improvements, in the spirit of effective collaboration and prudent long-range planning, and in light of the inclusion of Franklin County with the US 1 Corridor Study Phase II completion, the Parties agree to include the Town of Franklinton to the established Council of Planning for the Corridor. The Council will serve as an advisory group, and will meet periodically to:

- A. Review all land use developments and transportation projects of regional significance, working in tandem with the NCDOT District Engineer. [The term “regional significance” in this Memorandum of Understanding refers to land-use and highway projects that will have a major impact on congestion and travel movements (i.e. interchange construction, “big box” retail, single-family subdivisions of or above one-hundred lots, etc].
- B. Review any changes to the US 1 Corridor Plan, and will coordinate community involvement activities when necessary to ensure the integrity of the Plan.
- C. Develop and/or update a Comprehensive Land Use Plan that covers the corridor which shall include but is not limited to (a) proposed land uses along the corridor which are consistent and compatible with the transportation recommendations (b) a local connectivity plan, and (c) a series of best practice access management and development standards.

Members listed in this document shall incorporate the Council of Planning advisory role into their development review process.



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6. Future Actions Affecting Land Uses Along the Corridor: All parties recognize that future governmental entities may not be contractually bound by the adoption of this Memorandum of Understanding. In recognition of this limitation, the Parties commit to periodically review the status of land use and public investment decisions along the Corridor. The Parties, in good faith, further commit to:

A. review the recommendations of the Council of Planning; and

B. meet periodically with other Parties regarding emerging issues along the Corridor. The intent of these periodic meetings is to promote discussions of municipal and/or county goals, plans and strategies for maintaining effective development patterns, public investment and transportation flow along US 1.

7. MPO: The NC Capital Area Metropolitan Planning Organization commits to considering Transportation Plan amendments as necessary to incorporate US 1 Corridor elements; and working for inclusion of the US 1 Corridor on the State Transportation Improvement Program as appropriate.

8. NCDOT: NCDOT recognizes the importance of and appreciates the long range land use planning envisioned by the Plan. All Parties agree that NCDOT's only responsibility under this MOU is to share information relating to transportation planning within the area. It is understood by all Parties that NCDOT does not have the authority to approve or dictate land use plans. To that end, NCDOT will consider the Plan and incorporate elements of it, as appropriate, in future long range transportation plans and the Driveway Permitting process. NCDOT will consider individual projects along the US 1 Corridor for inclusion in the State Transportation Improvement Program as deemed appropriate by NCDOT and in accordance with all state and federal laws and regulations.

IN WITNESS WHEREOF, the Parties as listed, but not limited to, through their duly authorized representatives, have executed this Memorandum of Understanding and have attached maps relating to their respective jurisdictions, effective this _____ day of _____, 2012.

CITY OF RALEIGH

By

(Title)

TOWN OF WAKE FOREST

By

(Title)



TOWN OF YOUNGSVILLE

By

(Title)

COUNTY OF FRANKLIN

By

(Title)

COUNTY OF WAKE

By

(Title)

CAPITAL AREA TRANSIT

By

(Title)

KERR AREA RURAL TRANSIT SYSTEM

By

(Title)

TRIANGLE TRANSIT AUTHORITY

By

(Title)



NORTH CAROLINA CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION
By

(Title)

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
By

(Title)

TOWN OF FRANKLINTON

By

(Title)

