

Capital Area Metropolitan Planning Organization US 1 Corridor Council of Planning

Memorandum of Understanding Between

the Counties of Franklin, and Wake; the City of Raleigh; the Towns of Wake Forest, Franklinton, and Youngsville; the GoRaleigh; the Kerr Area Rural Transit System; the GoTriangle; 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 GoRaleigh; the Kerr Area Rural Transit System; GoTriangle; the Capital Area Metropolitan Planning Organization, and the North Carolina Department of Transportation** for land use and transportation planning purposes along Highway U.S. 1 and the Southeast High Speed Rail Line 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 Triangle Transit (now GoTriangle). 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 conducted. This is referred to as the US 1 Corridor Study Phase II. In 2024 the Council, in agreement with NCDOT Rail Division, expanded its scope of duties to include corridor preservation for the Southeast High Speed Rail (SEHSR) project that runs roughly parallel to the US 1 Highway.

[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 and proposed alignment for the SEHSR between the Corridor’s crossing at 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 Triangle Transit 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 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 Southeast High Speed Rail within the Corridor.

Southeast High Speed Rail Incorporation: In the Summer of 2023, the US 1 COP requested the NC Capital Area MPO explore, with NCDOT Rail Division, the inclusion of the SEHSR project into the Council's scope of work. In December 2023 the SEHSR was awarded a \$1.09 billion federal grant for design and construction. A workshop on this collaboration was held Feb. 9, 2024 with the relevant stakeholders. The US 1 COP directed the NC Capital Area MPO to update the MOU and Bylaws to capture the expansion of duties.

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) Divisions that 1) oversee project management of roadway and rail projects (i.e. U-5307 or the SEHSR) along the Corridor 2) review local development traffic impact analysis and 3) issuing body for driveway permitting and road construction.
2. **Corridor Study Recommendations:** Each Party commits to accept the recommendations as compiled within the US 1 Corridor Study Report (RS&H, 2006), the US 1 Corridor Study Phase II Report (Parsons Brinckerhoff, 2012) and the Southeast High Speed Rail Record of Decision (ROD, 2017) 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.

Furthermore, as U-5307A-D and SEHSR advance through design to construction and more detail on final impacts are refined, each Party recognizes the need to consider the approved federal environmental documents and designs in their recommendations. The Council can also consider updated project design plans in their recommendations.

- 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:

 - 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,
 - D. creating a local connectivity plan for local road access as a complement to improvements along US 1, and
 - E. planning for safety improvements related to SEHSR implementation.
- 4. Inducements to Other Parties:** Each Party understands that a commitment to its respective component of the US 1 Corridor Plan and SEHSR has induced other Parties to make like commitments for its respective segments of the Corridor insofar as that Party has jurisdiction over the land uses within its US 1 Corridor Plan and SEHSR segment.
- 5. 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.
- 6. 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 Engineers. [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. Coordinate, monitor, and provide recommendations for land use planning activities within the study corridor.

Members listed in this document shall incorporate the Council of Planning advisory role into their development review process.
- 7. 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 the Corridor.
8. **MPO:** The NC Capital Area Metropolitan Planning Organization commits to considering Transportation Plan amendments as necessary to incorporate US 1 and SEHSR Corridor elements; and working for inclusion of these Corridor projects on the State Transportation Improvement Program as appropriate.
9. **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 and promptly inform about changes to the plan that may impact the corridor's full implementation and local development. 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 and the SEHSR 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 _____, 20.

**US 1 Corridor Council of Planning
Memorandum of Understanding
Approved by CAMPO Transportation Advisory Committee – November 15, 2006
Updated -- November 29, 2013
Updated -- ,2024**

Seal

CITY OF RALEIGH

(Clerk)

By _____
Mayor

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Seal

TOWN OF WAKE FOREST

(Clerk)

By _____
Mayor

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TOWN OF YOUNGSVILLE

(Clerk)

By _____
Mayor

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FRANKLIN COUNTY

County Manager

By _____
Chairman

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WAKE COUNTY

County Manager

By _____
Chairman

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Seal

GORALEIGH

Clerk

By

Chairman

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KERR AREA RURAL TRANSIT SYSTEM

Clerk

By _____
Chairman

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GOTRIANGLE

Clerk

By _____
Chair

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CAPITAL AREA MPO

Director

By _____
Chair

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STATE OF NORTH CAROLINA AND
DEPARTMENT OF TRANSPORTATION

By _____
Secretary of Transportation

Approved for Execution By _____
Assistant Attorney General

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TOWN OF FRANKLINTON

Clerk

By _____
Mayor