

NOTICE

Municipal and Local Government Review of Applications by Outdoor Advertising Companies and Commercial / Business Facilities for Selective Vegetation Removal (SVR) and Beautification and Replanting Plans on NCDOT Right of Way

Senate Bill 183 "[AN ACT TO ESTABLISH CERTAIN STATUTORY STANDARDS FOR SELECTIVE VEGETATION REMOVAL \(SVR\) WITHIN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM](#)" was ratified in the 2011 North Carolina General Assembly and became [Session Law 2011-397](#). In January, 2012, applicable temporary rules were adopted by the North Carolina Department of Transportation (NCDOT) and approved by the Rules Review Commission, Office of Administrative Hearings, effective March 1, 2012. The adopted temporary rules for outdoor advertising are posted in the [NC Administrative Code 19A Chapter 2 Subchapter E](#). Recent amended, adopted, or repealed rules include 19A NCAC 02E .0210, .0211, .0602, .0603, .0608, .0609, .0610, & .0611. This notice describes opportunities for review and comment by municipalities on SVR applications within corporate limits adjacent to State highway right of way, as well as the opportunity by any local government to review and comment on beautification and replanting plans related to outdoor advertising sites.

The NCDOT is the issuing agency for SVR permits and related approval of beautification and replanting plans at outdoor advertising sites.

S.L. 2011-397 gives municipalities the opportunity to review and provide comments on SVR applications prior to NCDOT consideration of the request. For municipal review of SVR applications, there is a 30-day limit to review and provide comments to the NCDOT after the SVR application is furnished directly to the municipality by the applicant. The SVR application for review and comments may be from a sign owner for an outdoor advertising location or from an owner or representative of a commercial / business facility.

S.L. 2011-397 and the approved temporary rules allow any local government the opportunity to review and provide comments on beautification and replanting plans related to outdoor advertising sites prior to NCDOT consideration of the request.

Municipalities and local governments that wish to review and provide comments on SVR applications and beautification and replanting plans as described above **must do the following**:

1. Advise the North Carolina Department of Transportation in writing of the desire to review such applications and plans (AND)
2. Include the name of the local official to whom notice of such applications and plans should be directed. In order to provide more useful records, the Department also requests the following be included with the request: the name of the municipality, the working title of the local official, and contact information such as the e-mail address, mailing address, phone number, and fax number.

*Even if municipalities have made similar requests in past years, they are encouraged to repeat the request according to the instructions above, in accordance with the new legislation and rules.

PLEASE NOTE: Municipalities and local governments should use the following NCDOT "Contact Us" link to make the request for reviewing and commenting on SVR applications and beautification and replanting plans as outlined above or to ask related questions: <https://apps.dot.state.nc.us/ContactUS/PostComment.aspx?Unit=VegRemove>

On the following website, the NCDOT will maintain a spreadsheet of municipalities and local governments that request review of these applications and plans:

http://www.ncdot.gov/doh/operations/dp_chief_eng/roadside/vegetation/maintenance/VegRemoval.html