2016 AASHTO Right of Way, Utilities, Outdoor Advertising Control & National Alliance of Highway Beautification Agencies Conference

Sunday, May 1–Thursday, May 5
Rosen Centre Hotel
Orlando, Florida
Innovative Uses of Right of Way
Property Management

- Options realized when facing challenges due to inadequate Revenue
- Extracting Value/ Benefits from DOT Assets
- Keeping within the Laws and Regulations
- Not a compromise on mission of safety and mobility
Benefits from Property Mgmt.

- Revenue Streams
- Cost Savings
- Societal / Environmental
Considerations

Part 1  Property Management

Part 2  Sponsorship

Part 3  Alternative Uses
Property Management
Real Property Management

- Right of Way Regulations
  - 23 CFR Transportation

- 23 CFR Part 1.23 – Highway Purposes
  - Subpart (c) Other use or Occupancy
  - 710.403 – use exclusive to facility

- 23 CFR Part 710 Subpart D
  - Air rights
  - Leasing
  - Disposals
Property Mgmt. Websites

Florida Department of Transportation
- www.dot.state.fl.us/rightofway/PropertyManagement.shtm

Caltrans
- www.dot.ca.gov/hq/row/rps/pm.htm
Leasing

- 23 CFR 710.407 –

  Agreement- shall include provisions for
  - lease revocation
  - removal of improvements
  - hold harmless
  - access and inspections
Ground Leases

- Ground Lease Opportunities
  - Advance Acquisitions
  - Project ROW in transition
  - Local Rules and Agency Guidance
  - Agreements
  - Reversion Clauses 710.409(d)
Airspace Leasing

- 23 CFR 710.405
- Temporary Uses
- Permanent Uses
Airspace Leasing

- Political and Public Concerns
- Financial Feasibility
- Environmental Considerations
Airspace (Examples)

- Parking Lots – Caltrans
  - Average about $12 million (includes all leases)

- Washington State Convention and Trade Center

- Utilities / Telecommunications
  - Florida
  - New York
Disposals

Real Property / Buildings

- Sale –
  - no longer needed for the construction, operation and maintenance
  - ROW Manual Procedures 710.403(b)
  - Fair Market Value 710.403(d)
  - Follow local / state rules
  - Reinvested if Title 23 Dollars
Surplus Sale Revenues

- **Florida DOT** — estimated $2.6 mil FY 2013

- **Georgia DOT** — estimated $1.2-$2 million yearly 
  avg. 25 – 40 /year

- **Caltrans** — 5,900 parcels sold since 1995 
  $450,000,000 
  (current avg $12 million/yr)
EV Charging Stations

- 23 USC 111(a) -

State shall not permit in Interstate ROW / not change Boundary of interstate for:

- automotive service stations

- other commercial establishments for serving motor vehicle users
Sponsorship
Sponsorship

- Adopt a Highway
- 511 Traffic Information
- Rest Areas
- Non-federal roadways
Adopt/ Sponsor a Highway
511 Traffic Information Signs

- Georgia DOT
- NYS DOT
Drivers Assistance

- Florida Program
- Georgia Program
- Benefits
Welcome Center / Rest Areas

- Georgia
- Arizona
- Virginia
Non- Federal Roadways

- Toll Roads
- Turnpikes
Non-toll Revenue

- Percent of Non-Toll Revenue to Total Revenue

<table>
<thead>
<tr>
<th>State/Authority</th>
<th>Revenue Percentage</th>
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<tbody>
<tr>
<td>Penn Turnpike</td>
<td>25%</td>
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<tr>
<td>Mass Turnpike</td>
<td>20%</td>
</tr>
<tr>
<td>New Jersey Turnpike</td>
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<tr>
<td>Ohio Turnpike</td>
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<tr>
<td>Florida Enterprise</td>
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<tr>
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<tr>
<td>Illinois Toll Authority</td>
<td>5%</td>
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Alternative Uses
Right of Way Alternative Uses

- Solar
- Wind
- Freeways to Fuel –
  - Bio Fuels
- Carbon Sequestering
Right of Way Resources

Alternative Uses of Highway Right-of-Way


FHWA Policy on Sponsorship Acknowledgment and Agreements within the Public Right-of-Way

www.fhwa.dot.gov/legsregs/directives/orders/51601.cfm
Right of Way Contacts

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