

# Multiple Use of Lands Within Highway Rights-Of-Way

HARVEY R. JOYNER, Barton-Aschman Associates, Chicago

## ABRIDGMENT

•THIS paper reports on a survey of present experience in the multiple use of land within controlled-access highway rights-of-way for purposes other than the movement of traffic. Basic data for the study were obtained by questionnaires sent to state highway departments, toll road authorities, and several foreign countries, as well as personal interviews with officials from some of these agencies and an extensive review of published materials. The enabling legislation dealing with highway law for each state was also reviewed to summarize provisions concerning the use and disposition of controlled-access highway rights-of-way. A general evaluation of the multiple uses reported by the survey was made relative to potential demands for such uses, types of right-of-way utilized, effects on traffic operations, safety, cost, and benefits. Developments utilizing air and subsurface rights of freeways were excluded from extensive treatment by the project contract.

The survey identified some 25 types of multiple uses that have been developed in this country, utilizing all types of highway rights-of-way—medians, side strips, interchange ramp interiors and understructure areas. Multiple-use development opportunities utilizing only normal highway rights-of-way are limited generally to activities which can adapt to a linear configuration (except for ramp interiors) and which can coexist with the highway's traffic-carrying function without producing (or suffering from) adverse effects. Ramp interiors and understructure areas are conducive to a wider range of multiple-use developments than are normal medians and sidestrips. The greatest opportunity, however, for multiple-use development lies in the combining of unused portions of right-of-way with adjacent non-highway land to form developable parcels.

Inadequacies and ambiguities in existing state highway enabling legislation relative to the acquisition, interim use, and possible disposition of unused highway rights-of-way hamper the multiple use of these lands. Permitted uses under the term "highway purposes" should be identified and expanded. State highway agencies should be given powers to lease on an interim basis rights-of-way not immediately needed for highway construction, and to sell or lease on a long-term basis those lands no longer needed for highway purposes.