



R E P U B L I C
BUILDS
Public Works • Community Development

To: City Council
From: Karen Haynes, Assistant BUILDS Administrator
Date: October 12, 2021
Subject: Deficient Right-of-Way

The proposed Chapter 100 Amendment grants the BUILDS Administrator or their Designee the authority to accept Right-of-Way (ROW) in addition to Easements. The Amendment specifically addresses a known gap between the acceptance of ROW by City Council through Final Platting of Major Subdivisions and development which occurs when no platting is required.

Generally, the BUILDS Department defines ROW as, a legal right for public use intended to be occupied by a road, crosswalk, railroad, utilities, or other mechanism for passage obtained by dedication, lawful condemnation, or purchase.

The City's Land Use Ordinances, Transportation Plan, and Major Thoroughfare Plan identify existing ROW and future ROW and more specifically identify the required width of land required for each ROW category.

- Primary Arterial: 110'
- Secondary Arterial: 80'
- Collector: 70'
- Local: 50'

The BUILDS Department generally defines **Deficient ROW**, as any existing or future ROW that is less than that identified by Ordinance or Adopted Plan. Typically, ROW is measured from an existing Section Line from the State Coordinate System or from the centerline of the ROW.

For example, if a property is adjacent to an existing Collector Street (70'); Deficient ROW would be defined as anything less than 35' from the centerline or section line to the property line of the parcel. In this instance, if a Major Subdivision was not proposed, the BUILDS Administrator would have the authority to accept the dedication of Deficient ROW through a Deed of Dedication, which would then be presented to the Greene County Recorder's Office for recording.