

Approved:

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Responsible Office: Division of Multi-
Modal Planning & Programs
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//s// Jerry Wray

Jerry Wray
Director

STATE SCENIC BYWAY PROGRAM POLICY

PURPOSE

The purpose of this policy statement is to establish program policy statewide for uniformity and consistency in developing, implementing and maintaining the State Scenic Byway Program.

AUTHORITY

Transportation Equity Act for the 21st Century (TEA-21) (Public Law 105-178)
Section 5516.05 Ohio Revised Code

REFERENCES

Federal Register, Vol. 60, No. 96, May 18, 1995
Section 5516.01, Ohio Revised Code

SCOPE

All Districts, Divisions and Offices of the Ohio Department of Transportation

BACKGROUND

The Ohio Department of Transportation (ODOT) established a State Scenic Byway Program in 1994 in response to changes in Federal law. This program replaced the Scenic Highways Program established by ODOT in 1962.

DEFINITIONS

Applicant: Must be a local political subdivision, board, commission, or other governmental entity identified under Section 5501.03 (c) of the Ohio Revised Code as being eligible for assuming administrative responsibilities for ODOT improvement projects.

Archaeological: Visual evidence of the unique customs, traditions, folklores, or rituals of a no longer existing human group.

Byway Corridor Management Plan (BCMP): A planning document, developed with community involvement, that specifies the actions, procedures, controls, operational practices and administrative strategies to maintain the scenic, natural, cultural, historical, recreational and/or archeological qualities of the scenic byway corridor.

Corridor: The road or highway right-of-way and the adjacent area that is visible from and extending along the highway. The distance the corridor extends from the highway could vary with the different intrinsic qualities.

Cultural: Visual evidence of the unique customs, traditions, folklores, or rituals of a currently existing human group.

Historic: Landscapes, buildings, structures, or other visual evidence of the past. It has to be something that can still be seen - not just the site of something that used to be there.

Intrinsic Quality: Scenic, historic, recreational, cultural, archaeological, or natural features that are considered representative, unique, irreplaceable, or distinctly characteristic of an area.

Natural: Minimal human disturbance of the natural ecological features that are associated with the region.

Recreational: The road corridor itself is used for recreation like jogging, biking, roadside picnics, or direct access to recreational sites like campgrounds, lakes, or ski lodges.

Scenic: Beauty, whether natural or human made. The quality of the features are measured by how memorable, distinctive, uninterrupted, and unified they are.

Scenic Byway Technical Review Committee: A group of nine (9) individuals, representing ODOT, state agencies and the public, appointed by the Director of ODOT to review Applications and Byway Corridor Management Plans submitted to the Director for State Scenic Byway designation. Members hold two-year staggered terms. Public members will represent organizations addressing one of the six intrinsic values.

Scenic Byways:

State Scenic Byway: a road or highway under State, Federal, or local ownership designated by the State for its scenic, historic, recreational, cultural, archaeological, and/or natural qualities. This refers not only to the road or highway itself but also to the corridor through which it passes.

National Scenic Byway: a road or highway considered significant in at least one of the six categories and typically a State-designated scenic byway. Applications are submitted to Federal Highway Administration (FHWA) and designation made by the Secretary of Transportation. This refers not only to the road or highway itself but also to the corridor through which it passes.

All-American Road: The road or highway must not only meet requirements for designation as a National Scenic Byway but must also satisfy added criteria including significant in at least two of the six categories. Applications are submitted to the Federal Highway Administration (FHWA) and designation made by the Secretary of Transportation.

PROCEDURE STATEMENT

I. ELIGIBILITY CRITERIA

- A. A State Scenic Byway must possess one of the outstanding intrinsic qualities: scenic, natural, historical, cultural, recreational, and/or archaeological.
- B. It must be an existing road with legal, public access. This includes any combination of routes under either federal, state or local jurisdiction.
- C. The road must safely and conveniently accommodate two-wheel drive automobiles.
- D. The State Scenic Byway must be a minimum of five (5) miles in length.

II. APPLICANT RESPONSIBILITIES

A. Application

1. All Applications for State Scenic Byways must be submitted by a political subdivision of the state to ODOT, Division of Multi-Modal Planning and Programs. Each Application must include mapping to accurately locate the byway.
2. ODOT will notify the Applicant in writing of approval or disapproval of their Application.
3. If disapproved, the Applicant is sent a written notification with a reason for denial. The Applicant may resubmit a revised Application.

B. Byway Corridor Management Plan

1. If the Application is approved, the Applicant may proceed to the preparation of the Byway Corridor Management Plan (BCMP).
2. The Applicant must complete and receive approval of the BCMP before the Byway receives official designation.

C. Implementation Procedures

1. The Applicant must begin implementation of the BCMP within six (6) months after approval.
2. The Applicant will provide ODOT with a status report on the implementation of each applicable item in the BCMP within one (1) year after the approval date.
3. The Applicant may propose revisions to the original BCMP that respond to changing circumstances and priorities. ODOT must approve revisions to the originally approved BCMP.

III. ODOT RESPONSIBILITIES

A. Technical Review Committee

1. ODOT staff members in the Division of Multi-Modal Planning and Programs will recommend individuals representing ODOT, state agencies and the public to the Director to sit on the Technical Review Committee.
2. The Director will appoint the members to two-year staggered terms.

B. Application Procedures

1. ODOT staff members in Central Office and the Districts will provide technical assistance to the Applicant and the byway groups in the preparation of the Application.
2. ODOT staff members and the Technical Review Committee will review the Application and recommend approval or disapproval to the Deputy Director for the Division of Multi-Modal Planning and Programs.
3. Within ninety (90) days from receipt of the Application, ODOT will notify the Applicant in writing of approval or disapproval of their Application. If disapproved, the Applicant is sent a written notification with a reason for denial. The Applicant may resubmit a revised Application.

C. Byway Corridor Management Plan

1. ODOT staff members in Central Office and the Districts will provide technical assistance to the Applicant and their byway groups in the preparation of the BCMP.
2. ODOT staff and the Byway Technical Review Committee will review the BCMP and recommend approval or disapproval to the Director.
3. The Director of ODOT will concur or disagree with the Committee's recommendation.
4. ODOT will notify the Applicant in writing, within ninety days from receipt of a BCMP, of approval or disapproval of their BCMP.
5. ODOT will designate the route as a State Scenic Byway after the BCMP is approved.

6. ODOT will submit two (2) copies of the Applicant's BCMP to the Ohio Division Office, Federal Highway Administration, upon approval for State designation, if the Applicant is seeking National and/or All-American Road designation.

D. Signing Procedures

1. ODOT will install and maintain State Scenic Byway identification signs on all state routes under ODOT's jurisdiction.
2. ODOT will provide State Scenic Byway identification signs at no cost to the Byway Sponsor. The Byway Sponsor must coordinate with the local jurisdiction responsible for the roads to install and maintain the State Scenic Byway identification signs.
3. ODOT will determine the process for signing multi-designated State and National Scenic Byways. These will be determined on an individual byway basis.

II BYWAY TECHNICAL REVIEW COMMITTEE RESPONSIBILITIES

A. Application Procedures

1. Members of the Technical Review Committee, with ODOT staff, will meet quarterly to review the Applications.
2. The members of the Technical Review Committee will recommend approval or disapproval of the Applications to the Deputy Director for the Division of Multi-Modal Planning and Programs.

B. Byway Corridor Management Plan

1. Members of the Technical Review Committee, with ODOT staff, will meet quarterly to review Byway Corridor Management Plans.
2. The members of the Technical Review Committee will recommend approval or disapproval of the BCMP to the Director.

IV. DE-DESIGNATION PROCEDURES

- A. Failure to submit status reports or to document reasonable progress toward implementation of the BCMP may result in a withdrawal of the State Scenic Byway designation by the Director of ODOT.
- B. Failure to maintain the Scenic Byway at levels defined by the BCMP may result in a withdrawal of the designation by the Director of ODOT.
- C. Previously identified Scenic Highways lost their designation on March 31, 1998. The local political subdivision may apply, at any time, to become a State Scenic Byway.

V. SIGNS

- A. Outdoor Advertising on State Scenic Byways must conform with existing state and federal laws on outdoor advertising.
- B. In compliance with federal law, states may exclude from state or federal scenic byways designation any segment of a scenic road in a commercial or industrial section that the state determines to be inconsistent with the state's criteria for designating the scenic byway section. Byway segments in commercial or industrial areas are not automatically excluded.

VI. IMPACT ON HIGHWAY IMPROVEMENTS

The designation of a road as a State Scenic Byway does not impose any additional highway improvement restrictions on the road.

TRAINING

Training on the program process is recommended for ODOT personnel who will be assisting scenic byways Applicants. ODOT will hold training workshops annually for this purpose. ODOT will meet with communities requesting a State Scenic Byway, as needed.

FISCAL ANALYSIS

Implementation of this program will have no significant fiscal impact upon the Ohio Department of Transportation.

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