

Kansas Byways Program Management Guide



**Kansas Department of Transportation,
Kansas Tourism
and
Kansas Byways Advisory Committee
September 2024**



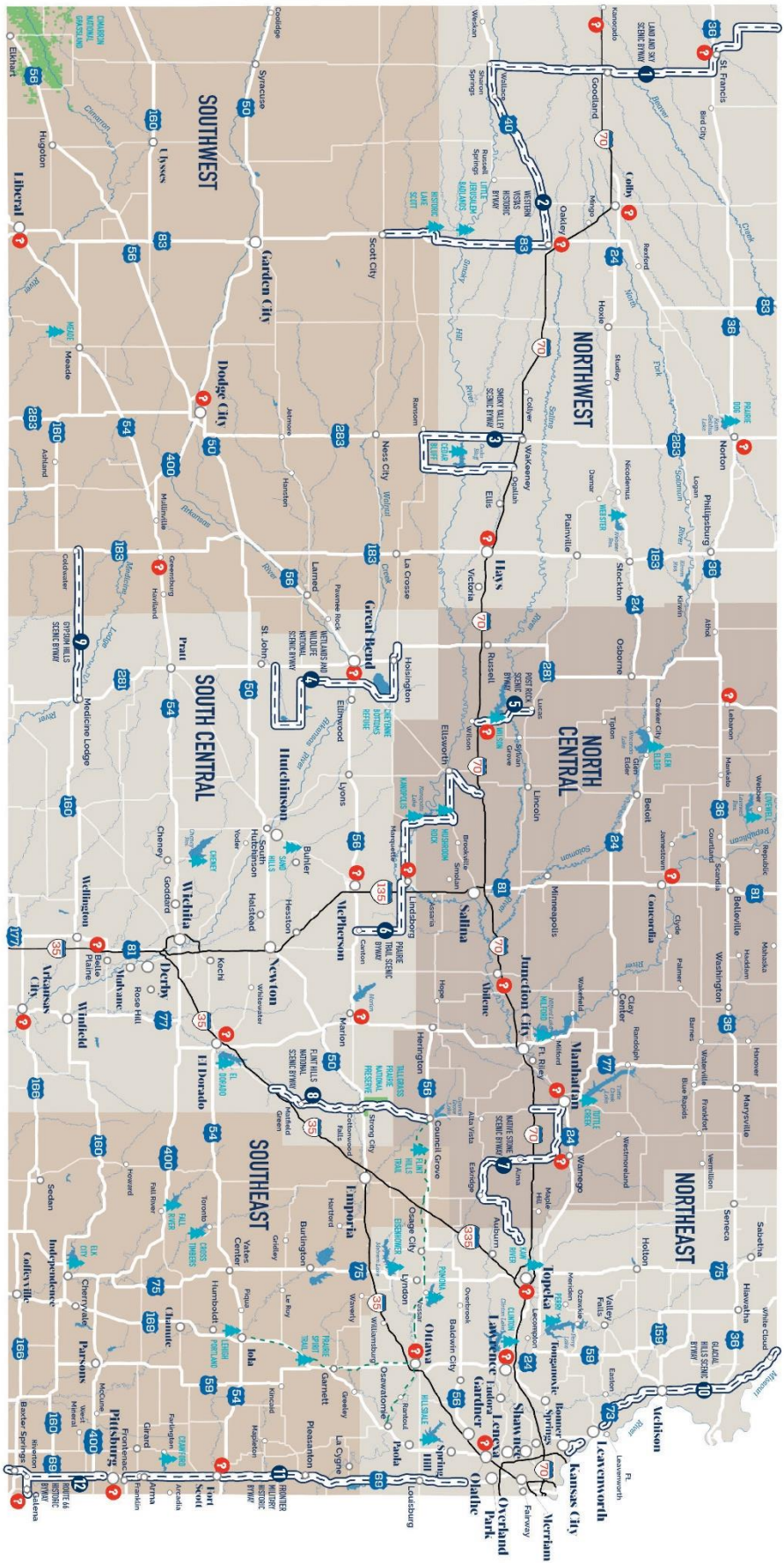
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Kansas Byways Program Management Guide

The purpose of this document is to provide guidance for the management of the Kansas Byways Program. The intended users are local byways committees and government agencies associated with either the program or an individual byway. Relevant byways are the state byways designated by the Secretary of Kansas Department of Transportation.

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Introduction

What Is a Byway?

A byway is a public road or highway with exceptional intrinsic qualities that has been recognized through legislation or other official declaration. The significance of the features associated with these intrinsic qualities is considered representative, unique, or distinctly characteristic throughout the region.

The byway designation refers not only to the road itself but also the corridor through which it passes. Places to see and things to do “on” a byway are not only on that stretch of road but also in the cities and communities the route passes through, as well as 20 miles beyond it in all directions.

History of National and State Byways Programs

In 1991, legislation required the Federal Highway Administration (FHWA) to establish the National Scenic Byways Program. FHWA subsequently announced a policy to identify and develop scenic roadways for the enjoyment of the traveling public. The program aims to preserve the inherent scenic beauty of these roads for future travelers and to provide opportunities for increased tourism and economic development in the communities located on or near the routes.

The program was envisioned to be a grassroots collaborative effort intended to recognize, enhance, and provide long-term maintenance and preservation of selected scenic routes throughout the country. It is a partnership effort among private citizens, businesspersons, local groups, local governments, and state and federal government agencies.

Within the national program, specific criteria has been established for designating a route as a National Scenic Byway or an All-American Road—the most distinguished honors that can be bestowed upon a byway in the United States.

In response, the State of Kansas initiated the Kansas Byways Program and placed the program in the Kansas Department of Transportation (KDOT). Program guidelines were developed consistent with FHWA’s policy for national designation. The Kansas Byways Advisory Committee was also established at this time to provide guidance to the program. The Secretary of Transportation was appointed to officially designate approved, new byways for inclusion in the Kansas Byways Program.

Kansas Byways Program Today

Today, the program features three types of byways—scenic, historic, and backroad—and consists of 12 routes. Of the 12, two are designated as national scenic byways, and three are historic byways.

Flint Hills National Scenic Byway
Frontier Military Historic Byway
Glacial Hills Scenic Byway
Gypsum Hills Scenic Byway
Kansas Route 66 Historic Byway
Land & Sky Scenic Byway

Native Stone Scenic Byway
Post Rock Scenic Byway
Prairie Trail Scenic Byway
Smoky Valley Scenic Byway
Western Vistas Historic Byway
Wetlands & Wildlife National Scenic Byway

The byways have become a collection of authentic road-based experiences that preserve the natural beauty and heritage of the state, stimulate economic prosperity through tourism, and enhance the positive image of Kansas.

The program is administered by KDOT and Kansas Tourism (a division of Kansas Department of Commerce). Guidance is provided by the Kansas Byways Advisory Committee. The committee currently consists of representatives from KDOT, Kansas Tourism, Kansas Historical Society (KSHS), and FHWA.

Each individual byway is managed at the community level by a committee. The committee is a local collaboration between private citizens, businesspersons, local groups and organizations, and government agencies.



Criteria for Eligibility in Kansas Byways Program

Established eligibility criteria for the designation of Kansas byways and backroads is similar to the criteria for the designation of National Scenic Byways and All-American Roads. This is to ensure Kansas byway routes will be eligible to apply for National Scenic Byway designation whenever the national nomination process opens. (Backroads are not eligible for national designation.)

- Criteria for designation as an All-American Road is much more extensive, and designation is more difficult to achieve. Questions about All-American Road designation should be directed to the Kansas Tourism Byways Manager.

For the duration of a route's designation as a state byway or backroad, its local committee should ensure the route maintains and enhances the qualities that originally qualified it for inclusion in the Kansas Byways Program.

Six Intrinsic Qualities of a Byway

To be designated as a state byway, a road or highway must significantly meet at least one of the following six intrinsic qualities. These qualities can help local byways committees determine which sites to highlight to visitors.

Scenic: heightened visual experience of natural and manmade elements of the visual environment. The landscape and streetscape are strikingly distinct and offer a pleasing and memorable visual experience. All elements of the landscape—landform, water, vegetation, and manmade development—contribute to the quality of the visual environment.

Historic: legacies of the past associated with visible parts of the landscape, whether natural or built. Places of historic significance educate visitors and stir an appreciation for the past. Historic qualities reflect people's actions and may include buildings, bridges, settlement patterns, and other examples of human activity. Historic features can be inventoried, mapped, and interpreted.

Cultural: customs or traditions of a distinct community of people. Cultural features include, but are not limited to, crafts, art, music, dance, rituals, festivals, speech, food, special events, vernacular architecture, etc., that are currently practiced.

Archeological: physical evidence of historic or prehistoric human life or activity that are visible and capable of being inventoried and interpreted. These include ruins, artifacts, structural remains, trails, and other physical evidence that have scientific significance that can educate the viewer and stir an appreciation for the past. While it is usually necessary to protect

these features by keeping the general public unaware of exact locations, archaeological qualities can be explained and interpreted at nearby sites along the byway.

Natural: features of the environment that are in a relatively undisturbed natural and ecological condition. These features may include geological formations, fossils, lava flows, landform, water bodies, vegetation, and wildlife.

Recreational: active and passive outdoor recreational activities directly associated with and dependent upon the natural and cultural elements of the landscape. Rafting, boating, fishing, hiking, photography, bird watching, nature study, and camping are among the many recreational activities that can occur along a scenic byway. Driving the road itself can qualify as a pleasurable recreational experience.

Note: to be considered for designation as a National Scenic Byway, a state byway must significantly meet criteria for at least one of these intrinsic qualities. For All-American Road designation, the byway must significantly meet criteria for at least two intrinsic qualities.

Scenic Byway Criteria

Scenic byways are designated routes that offer travelers access to beautiful scenery and the cultural and natural riches of Kansas. The following criteria must be met for designation as a state scenic byway.

- Significantly meet at least one of the six intrinsic qualities of a byway.
- Uniformly high visual quality along the entire length, with no or very few unattractive visual features. Detractions from the visitor experience should be minimized.
- Scenic views of different content than the scenic views of other byways in the Kansas Byways Program so as not to detract from each other.
- Motorist amenities (food, lodging, gas stations, rest rooms) available to travelers along the byway itself or nearby in the byway corridor.
- Located on paved public roads or highways under state, federal or local ownership.
- Wide enough for two-way traffic and to safely accommodate conventional tour buses and large recreational vehicles throughout the entire roadway, including culverts, bridges, and standard clearance for vehicle height.
- Accommodate pedestrian and bicycle travel where possible.
- Minimum length of approximately 20 miles or a travel time of about 30 minutes. (Routes near an interstate or other major road may be shorter in length. Also, shorter routes may be eligible if the theme is significantly featured in those miles.)
- Maximum length of 100 miles. (Longer routes may be eligible if the additional mileage is proven to be important to the authenticity of the route.)
- Clearly defined beginning and ending points.
- Distance of the corridor may extend up to approximately 20 miles in all directions beyond the designated roadway to include features that can be attributed to the byway.
- Interpretive signage, overlooks, brochures, maps, etc., to enhance the visitor experience.
- Additional signs, displays, or devices may not be added along any portion of the byway that is on the Interstate System, National Highway System, or Federal Aid Highway System except signs in conformance with K.S.A. 68-2233. (See Appendix.)
- Up-to-date corridor management plan (CMP) on file at Kansas Tourism.
- Signed resolutions from local city and county government officials that state these entities will support the byway; preserve, promote and enhance the byway's intrinsic qualities; maintain points of interest; and maintain the locally owned roadway for the duration of the route's designation as a state byway.

Historic Byway Criteria

Historic byways are designated routes that offer travelers access to history of national, regional (multi-state), or state significance. Historic routes must also have some scenic qualities. Eligibility criteria for historic byways in Kansas is much the same as the criteria for scenic byways, with the following additions.

- Historic intrinsic qualities must be significantly historical, numerous, visible, and of high quality.
- Historic sense of place through its visual relationship with the landscape, buildings, and structures, that unifies and defines the area.
- Main historic theme of different content than the themes of other historic byways in the Kansas Byways Program so as not to detract from each other.
- Clearly defined primary area of historic contribution. Suggested primary areas include, but are not limited to, agriculture, architecture, commerce, culture, engineering, ethnic migration, exploration, Native American experience, settlement, and transportation.
- Clearly defined time period of the route's historical significance.
- Preserved historic features including the original roadway/trail alignment, vegetation patterns, paving system, bridges, culverts, etc.
- Historic intactness, including buildings from applicable historic period(s) in or eligible for the National Register of Historic Places or Register of Historic Kansas Places, with a minimum of intrusive development and distractions.

Backroad Criteria

Backroads are designated routes that offer travelers access to unique, rewarding experiences off the state highway system. Eligibility criteria for backroads in Kansas is much the same as the criteria for scenic byways, with the following additions and exceptions.

- Outstanding natural features, vistas, and/or native vegetation that sets it apart from other county roads.
- Located on paved or gravel county public roads.
- Wide enough for two-way traffic but does not have to be capable of handling conventional tour buses and large recreational vehicles.
- Meet low volume rural road maintenance standards established by the local county.
- Lightly traveled, with minimal commercial and industrial traffic except for seasonal harvest.
- Marketing brochure with a map identifying the route and attractions, available in print and on a local website.
- Up-to-date corridor management plan (CMP) on file at Kansas Tourism. The CMP should contain the following: description of route and points of interest; mile-by-mile description; map; names of key contacts (local committee, city, and county); route maintenance overview and names of contacts; succession plan (local committee, city, and county); city and county resolutions; and plans for marketing the brochure and promotion of the route.

Outdoor Advertising: Signs Along Byways

After March 31, 1972, and subject to the provisions of K.S.A. 68-2237, and amendments thereto, no sign shall be erected or maintained in an adjacent area of a Kansas byway if the sign's purpose does not meet one of the exceptions listed in K.S.A. 68-2237. See Appendix for a list of exceptions and more information about K.S.A. 68-2237.



Responsibilities of Byways Committees

The Kansas Byways Program is supported by Kansas Byways Advisory Committee, Kansas Byways Coordinators Committee, and local individual byways committees. Each of these committees has responsibilities that benefit the overall success of the program.

Kansas Byways Advisory Committee Responsibilities

The Kansas Byways Advisory Committee currently consists of representatives from Kansas Department of Transportation (KDOT), Kansas Tourism, Kansas Historical Society (KSHS), and Federal Highway Administration. (FHWA). The group provides leadership and guidance to the Kansas Byways Program and local byways committees. They review and evaluate applications for new byways requesting designation as a state byway and collaborate with KDOT on evaluating those proposed routes; review and evaluate requests to extend existing byways; and evaluate faltering existing byways to determine if the de-designation process should begin. The group meets quarterly to discuss byway-related news from each member's agency, and they attend the Kansas Byways Coordinators Committee quarterly meeting.

Committee members provide advice and guidance in their area of expertise. They are responsible for the general duties listed above, as well as those specific to their agency, which are listed below.

KDOT serves as lead agency for the overall administration of the Kansas Byways Program.

- Assist with compliance of program requirements and coordinating internal agency review of byway activities within KDOT.
- Monitor federal, state, and local legislation and regulations pertaining to byways.
- Use KDOT website, ksdot.gov, to provide link to the byway section on TravelKS.com.
- Include byway routes on official Kansas state map.
- Provide information on byway road conditions and construction projects for state highway routes.
- Order and purchase Kansas Byway signs placed along byway routes and coordinate installation of these signs with KDOT district staff.
- Local KDOT districts maintain grounds for interpretive sites located on KDOT property and installed prior to January 2024. Interpretive sites approved and installed after January 2024 require a maintenance agreement between the local committee and KDOT.
- Apply for and administer FHWA grants specific to state departments of transportation as approved by KDOT management.

Kansas Tourism assists KDOT with administrative management of the Kansas Byways Program.

- Serve as liaison between local byways committees and government agencies that support the program.
- Resource for tourism industry trends pertaining to byways.
- Provide marketing materials for local byways committees to distribute throughout their communities. Materials include Kansas Byways Guide in print and digital formats; comprehensive byways section on Kansas Tourism website at KansasByways.com; Kickstands Up! motorcycle flyer available on KansasByways.com; article in annual Kansas Travel Guide; Kansas Byways Facebook page; and a video for each byway.
- Meet with each local byway committee onsite at least once a year.

- Attend local byways committees' annual community partners meeting.
- Manage Kansas Byways Advisory Committee and Kansas Byways Coordinators Committee. Leads quarterly meetings for both groups.
- Assist with compliance of program requirements.
- Member of National Scenic Byway Foundation.

KSHS is the expert resource for historical, archeological and cultural intrinsic qualities.

- Provide resources for Kansas history topics.
- Review promotional materials for historical accuracy and adequate historical documentation.
- Utilize KSHS website, kshs.org, to provide information about properties listed in National Register of Historic Places and Register of Historic Kansas Places. Most byways communities have sites listed in the registers.
- Manage Kansas Historic Resources Inventory (khri.kansasgis.org) interactive map that includes byways routes and the registered historic sites located nearby.

FHWA provides expert knowledge of National Scenic Byways Program criteria.

- Monitor federal, state, and local legislation and regulations pertaining to byways.
- Assist with compliance of any national program requirements.
- Share quarterly updates from FHWA.
- Inform Kansas Byways Coordinators Committee about FHWA grants and other funding opportunities.

Kansas Byways Coordinators Committee Responsibilities

Committee includes representatives from each of the 12 byways, KDOT, Kansas Tourism, KSHS, FHWA, and Kansas Department of Commerce. The group serves as a forum for networking, topical discussion, education, and outreach. They meet quarterly via Teams to discuss byway-related news from each member's local committee or government agency. They also address issues or concerns impacting implementation of the byways' corridor management plans (CMP).

Local Byway Committee Responsibilities

A local byway committee consists of community members from cities and counties located along the byway and its corridor. Members can be private citizens, representatives from tourism attractions, retail stores, food and lodging industries, businesspersons, local groups and organizations, and city and county governments—especially local chambers, tourism offices, convention and visitors' bureaus, and elected officials. Anyone interested in the byway can participate. The goal is to have representation from every community and county along the route.

Committee members manage the committee and are the public face of the byway. However, the preservation, promotion, and enhancement of the byway is not the sole responsibility of the committee members. This is a group effort that involves the committee as well as the community partners in every community located on the byway. The key to long-term success is the involvement and participation of local community partners. (Community partners are in the same organizations in which committee members are found.)

How to Manage a Local Byway Committee

Meet quarterly, either in person or via conference call, Zoom, or Teams. The purpose of meeting is to share information about news and activities along the byway and its corridor; plan and implement enhancement projects; and verify the committee members and community partners have the necessary tools to promote the byway.

- A 15-minute online meeting is appropriate if all communication can be accomplished in that time. The important thing is to meet quarterly and communicate with each other.
- If meeting notes are taken, please forward to the Kansas Tourism Byways Manager for the program records.

Designate a chairperson to schedule meetings, set agendas, and lead meetings. The chairperson does not do all the work herself/himself. Tasks should be distributed among the committee members and community partners.

- The chairperson also attends the quarterly Teams meeting of the Kansas Byways Coordinators Committee and reports that information to their local committee. If the chairperson is not available for a Coordinators meeting, anyone may attend and represent the group.

Develop a succession plan so when committee members step down from a leadership position or remove themselves from the group, others are prepared to manage the committee.

Obtain funding for byway enhancement projects (brochures, maps, events, etc.). Suggestions:

- Grants are available from several entities, including Kansas Tourism, KDOT, and KSHS; most require matching funds.
- A few byways committees receive funds from their county governments.
- Local businesses and industries may have funds set aside to contribute to non-profit causes in the community.
- Fund raisers along the byway and its corridor.

At least once a year, drive the byway together as a group to verify intrinsic qualities are still relevant. Verify viewshed, scenic elements, and man-made elements are maintained and still provide pleasing views. Note what is new or has changed. Strategize how the committee and community partners can collaborate to promote the byway and help preserve its intrinsic qualities.

Once a year, host a public meeting for the community partners so the committee can educate about the byway and explain how it can help the communities along the route. Ask if the partners are willing to help promote the byway in their marketing materials. Invite the Kansas Tourism Byways Manager to attend in support of the Kansas Byways Program.

- If the city council members and/or county commissioners cannot attend the annual community partners meeting, the local byway committee should attend one of their meetings and present information about the byway.

Submit annual report to Kansas Tourism Byways Manager in December. Report forms are emailed to the chairpersons near the first of the month.

- Byway annual reports record the activities of the Kansas Byways Program. These reports can be useful tools when Kansas Tourism or KDOT requests a grant or other funds for a state-wide enhancement project.

What Do Local Byways Committees Do?

Promote the byway to Kansans and out-of-state visitors. Provide a high-quality, enjoyable visitor experience for the duration of the roadway's designation as a byway.

- Promote the byway's intrinsic qualities. Intrinsic qualities must be presented in a positive manner at all times.

Develop or update a corridor management plan (CMP) for long-term preservation, promotion, and enhancement of the area's resources, as well as the economic well-being of the communities.

Develop enhancement projects. The purpose of enhancement projects is to: enhance the existing character of the byway; provide amenities that enhance the visitor experience; preserve the intrinsic qualities; minimize resource consumption and deterioration of natural and man-made attractions; integrate facilities into the landscape, community, and history by using place-appropriate materials; and minimize facility operation and maintenance costs.

The selection of enhancement projects should be based on priorities established in the corridor management plan. Before beginning a project, the committee should engage the local community in the project process and communicate its plans to the Kansas Tourism Byways Manager.

Enhancement project examples:

- Byway specific brochure with map and descriptions of things to see and do.
- Social media sites.
- Website. Because website maintenance can be cost prohibitive, Kansas Tourism encourages committees to utilize the KansasByways.com site as their own. Committee members are asked to update tourism attractions and amenities as needed. travelks.com/things-to-do/byways-and-highways/byways.
- Self-guided audio cell phone tour.
- Byway events. Examples: motorcycle run, scavenger hunt, and tours along the route.
- Educational presentations to visitors, student groups, or local community members. Explain what a byway is and how important it is to the local communities. Provide details about things to see and do on your byway.
- Interpretive signage. The committee can place interpretive signage on public property owned by a city or county government entity with that entity's permission. The government entity must agree to provide ground maintenance (mow, weed, sidewalk repair, etc.). Legal agreements must be signed for use of property and for maintenance.

KDOT will review requests for the installation of new interpretive sites on KDOT right of way and approve on a case-by-case basis. Approved new sites will require agreements for use of KDOT right of way and maintenance.

The committee is responsible for funding the design, manufacture, and installation of the signage. The committee is also responsible for funding the replacement of damaged or deteriorated signage.

Notify the Kansas Tourism Byways Manager when new interpretive signage is installed. The manager maintains a comprehensive record of all interpretive signage locations in the state.

In 2018, a project was completed in which Kansas Tourism installed interpretive signage on all byways in the program at that time. Kansas Tourism or KDOT will fund replacement of damaged or deteriorated signage from this project.

- Litter control
- Graffiti control
- Plant trees, flowers, or other foliage to enhance or cover less scenic areas along the route.
- Construction projects. Examples: kiosk, scenic overlook, nature trail, walking and bicycling path, shelter house, restrooms, and visitor center.

Coordinate with community partners to ensure the viewshed is preserved, scenic, and uncluttered; intrinsic qualities are preserved; and the route continues to meet eligibility criteria for their type of byway.

- When KDOT officially designated the byway as a Kansas byway, city and county government entities located along the route signed an official resolution in which they agreed to support the byway, preserve and promote the byway's intrinsic qualities, maintain points of interest, and maintain the locally owned roadway for the duration of the route's designation as a state byway.

Ask community partners to help promote the byway. They can:

- Verbally promote the byway to all visitors during regular customer service interactions.
- Distribute free print materials (byway specific brochure, Kansas Byways Guide, Kansas Travel Guide, and state map). Location suggestions: tourism attraction sites, restaurants, cafes, retail stores, hotels, Airbnb sites, convenience stores, business offices, medical offices, and government offices—especially local chambers, tourism offices, and convention and visitors’ bureaus.
- Promote the byway on their website and social media sites, especially local government agencies. Only one sentence is needed. Examples: XYZ Cafe is located on ____ Scenic Byway; (city or county name) is located on ____ Historic Byway; or ____ Scenic Byway is located in (county name).
- Provide assistance with projects. Local colleges may have students willing to design print materials, take photos, or post on social media. Tourism-related agencies may have staff members willing to do the same.



Corridor Management Plan

A corridor management plan (CMP) is a written document that provides a comprehensive understanding of the byway route and the local communities’ long-term focus and commitment to preserve, enhance, and promote its intrinsic qualities. The CMP has several purposes: identify the location of the route and its corridor; describe the physical condition of the road and its safety; analyze and describe the intrinsic qualities and how they are to be managed and interpreted; identify the elements that are in place and are planned to meet the needs and expectations of both visitors and the local residents and businesses; describe the route’s promotion and marketing; and, finally, describe, who, how, and when the byway committee and community partners will implement plans and take responsibility for actions along the route. Photos and maps should be included to help tell the story of the byway.

The local byway committee collaborates with its appropriate community partners to create the CMP. The key to a CMP’s long-term success is the involvement and participation of local community partners. Some byways committees choose to hire a consultant to work with them to create it, however, a consulting service is not a requirement.

- Local city and county government entities must be included in the process and must approve the completed corridor management plan before it is implemented.

The CMP is a living document that should be reviewed on a regular basis and updated as needed so it reflects the accomplishments and changing concerns of the communities. Send a digital copy of updated CMPs to the Kansas Tourism Byways Manager so it can be uploaded to travelks.com/travel-industry/programs-and-resources/byways/maps-brochures-and-cmps/.

Components of a Good Corridor Management Plan

Any corridor management plan submitted for designation as a National Scenic Byway must contain the 14 components of a good CMP. Kansas requires the same components for the Kansas Byways Program.

1. Map identifying the corridor boundaries (length and width), locations of intrinsic qualities, and different land uses within the corridor (city, county, industrial, farmland, etc.). Describe how the length and width of the corridor was determined by explaining why the endpoints were chosen and why the width is the same or variable along the length. (U. S. Geological

Survey maps are recommended because they provide details of landforms and building locations.)

2. Descriptions of the intrinsic qualities and their context within the area surrounding them. Evaluate the qualities' importance to the byway and its corridor.
3. Strategy for preserving, maintaining, enhancing, and promoting each of the byway's intrinsic qualities. Determine which enhancement projects can help with this strategy. Identify how and when these projects will be developed and implemented.
4. List of agencies, groups, and individuals who will play an ongoing role in the long-term implementation of the CMP. Include descriptions of their specific, individual responsibilities and a schedule for the continuing review of how well those responsibilities are being met.
5. Strategy for how existing land development along the corridor might be enhanced and new development might be accommodated while still preserving the intrinsic qualities. Many communities have long-term land-use plans that can be adapted for this purpose.
6. Plan for ongoing public participation in the implementation of CMP objectives.
7. General review of the road's safety and accident record to identify any correctable faults in highway design, maintenance, or operation. Locate hazards and poor design that may be problems for drivers unfamiliar with the route and identify possible corrections.
8. Plan to accommodate commercial traffic (semi, farm vehicle, etc.) and access to businesses along the route while maintaining a safe and efficient level of highway service for visitors in smaller vehicles, as well as pedestrians and bicyclists. It is recommended that CMPs incorporate plans to apply for Federal Transportation Enhancement funds to pay for installation of special bicycle lanes or hiking trails as appropriate.
9. List and discuss efforts to minimize intrusions on the visitor experience (gaps in the scenery, and urban or rural decay such as junkyards, dilapidated buildings, overgrown viewsheds, etc.) Demonstrate that intrusions have been and will continue to be minimized to the extent feasible. Identify the plan for making improvements to enhance the visitor experience.
10. Documentation of compliance with all existing local, state, and federal laws about the control of outdoor advertising.
11. Signage plan that ensures the number and placement of highway signs (regulatory, directional, wayfinding, warning, and guide) will not obstruct views of the scenery but will be sufficient to help visitors find their way. The signage plan must be completed in cooperation with KDOT.
12. Plans for marketing and publicizing the byway.
13. Proposals to modify the roadway (shoulder improvements, road widening, curve straightening, etc.). Include an evaluation of how the proposed changes may affect the visitor experience of the byway corridor's intrinsic qualities.
14. Describe how and where communities plan to interpret the significant resources of the scenic byway to visitors. (Museums, seasonal festivals that interpret the culture, existing state historical markers, overlooks, parks, etc.)



National Designation

The National Scenic Byways Program provides for the recognition of highways with outstanding examples of intrinsic qualities with regional or national significance by designating them as either National Scenic Byways or All-American Roads. Documentation and stewardship of the scenic, historic, cultural, archeological, natural, and/or recreational qualities are the foundation for national designation. Eligibility is open to any road designated a byway by a state, Indian tribe, or federal land management agency.

National Scenic Byways are roads that merit recognition at the national level for their outstanding intrinsic qualities. To be considered for designation, at least one of the byway's intrinsic qualities must be regionally significant. The byway must be an exceptional route that features regional characteristics of the nation's culture, history, and landscape. These characteristics must be recognizable and unique. The byway must meet safety and traveler amenities criteria and should accommodate bicyclists and pedestrians where feasible. It should be continuous and must have a corridor management plan that ensures continued preservation of its intrinsic qualities.

All-American Roads are the best of the best. These byways are recognized nationally and internationally for their outstanding and highly unique intrinsic qualities. To be considered for designation, at least two of the byway's intrinsic qualities must be nationally significant, and the road must be considered a destination unto itself. Travelers from around the world visit the byway specifically to see the route itself. Its characteristics must be nationally recognizable, representative, irreplaceable, and unique within the nation. In addition, All-American Roads must meet the same criteria as the National Scenic Byways.

Federal Highway Administration (FHWA) occasionally opens the national designation nomination process. They do not have a set schedule for when they open the process. FHWA will provide a complete list of eligibility requirements when the nomination process opens.

Anyone may nominate a road for national designation. The nomination itself must be submitted through the Kansas Byways Advisory Committee and must demonstrate compliance with all state policies and national criteria. The nomination must include a corridor management plan designed to protect the byway's unique qualities meeting the criteria previously discussed.



Extend Existing Byway

The process to extend the length of an existing byway is much the same as the process for nominating a new byway for inclusion in the Kansas Byways Program. In addition, the corridor management plan must be revised to include the extension. Any Kansas byway committee wanting to extend the length of its route should contact the Kansas Tourism Byways Manager for more information.



De-designation Process

The Secretary of Kansas Department of Transportation may de-designate any roads or highways in the Kansas Byways Program if they no longer possess the intrinsic qualities nor meet the criteria which supported their original designation as a byway. A road or highway will be considered for de-designation when it is determined that the local and/or state commitments described in a corridor management plan have not been met sufficiently to retain an adequate level of intrinsic quality to merit designation.

When a byway has been designated for more than one intrinsic quality, the diminishment of any one of the qualities could result in de-designation of the byway as a National Scenic Byway or All-American Road. It shall be the state's responsibility to ensure that the intrinsic qualities of the National Scenic Byways and All-American Roads are being properly maintained in

accordance with the corridor management plan. When it is determined that the intrinsic qualities of a National Scenic Byway or All-American Road have not been maintained sufficiently to retain its designation, the state and/or federal agency will be notified of such finding and allowed 90 days for corrective actions before the Secretary may begin formal de-designation.



Start a New Byway

For information about starting a new byway or backroad, contact the Kansas Tourism Byways Manager.



Additional Byway Management Resources

Travel Industry byways section on TravelKS.com: travelks.com/travel-industry/programs-and-resources/byways. Also: KansasByways.com

National Scenic Byway Foundation (NSBF): nsbfoundation.com

- Byway committee can use the Kansas Tourism NSBF membership to attend webinars.

Scenic America: scenic.org



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Kansas Scenic Byways Enhancement Guide – 2009

Kansas Scenic Byways Program Management Plan
– originated in 1996; updated in 2005

National Scenic Byway Foundation:

Community Guide to Planning and Managing a Scenic Byway manual

Chapter 6: Creating Your Byway’s Corridor Management Plan, pages 35-38.



Appendix

Kansas Statute 68-2233 (re: signs along byways)

68-2233. Erection or maintenance of signs in adjacent area prohibited, exceptions. After March 31, 1972, and subject to the provisions of K.S.A. 68-2237, and amendments thereto, no sign shall be erected or maintained in an adjacent area, except the following: (a) Directional and official signs, including, but not limited to, signs pertaining to natural wonders, scenic or historical attractions, churches or rural businesses, which are required or authorized by law and which shall conform to rules and regulations promulgated by the secretary consistent with national policy, except that no such sign or notice shall be erected until an approved sign application and permit is obtained as provided for in K.S.A. 68-2236, and amendments thereto. Directional and official signs shall be required to obtain a license but such signs are exempt from payment of the fees required under subsection (c) of K.S.A. 68-2236, and amendments thereto;

(b) signs advertising the sale or lease of property upon which they are located;

(c) on-premise signs advertising activities conducted on the property on which they are located, including, without limiting the generality of the foregoing, goods grown, produced, sold, stored, manufactured, processed or mined thereon; services rendered thereon; and entertainment provided thereon;

(d) nonconforming signs or advertising devices lawfully in existence on March 31, 1972, or deemed to be nonconforming, provided that no such sign shall be maintained without a license as provided for in K.S.A. 68-2236, and amendments thereto;

(e) conforming signs or advertising devices erected in business areas and which comply with the provisions of K.S.A. 68-2234, and amendments thereto. No such sign or advertising device shall be erected until a permit is obtained as provided in K.S.A. 68-2236, and amendments thereto;

(f) conforming signs or advertising devices legally erected after March 31, 1972, which no longer comply with spacing, size or zoning requirements of K.S.A. 68-2234, and amendments thereto, because of a change in the law, provided that no such sign shall be maintained without a license as required by K.S.A. 68-2236, and amendments thereto. Such signs shall be considered legal conforming signs with grandfather status;

(g) in addition to the limitations contained in this section, in order to further the purposes to promote the reasonable, orderly and effective display of outdoor advertising devices along highways adjacent to scenic and historical areas, while protecting the public investment in these highways and promoting safety and recreational value of public travel and to preserve natural beauty, no advertising sign, except as permitted under subsections (a), (b) or (c) shall be erected adjacent to any highway which is either:

(1) A scenic highway or scenic byway designated by the secretary;

(2) within 1,000 feet of the boundary line of a Kansas state park, a national park, a state or national wildlife refuge;

(3) within 500 feet of any of the following: public park, garden, recreation area, forest preserve, church, school, any public museum or historical monument, any safety rest or

recreation area which is publicly owned, controlled and maintained pursuant to 23 U.S.C. § 319 or any sanitary or other facility for the accommodation of the motorist which is publicly owned, controlled and maintained pursuant to 23 U.S.C. § 319; or

(4) within 500 feet of any strip of land, an interest in which has been acquired by the state of Kansas for the restoration, preservation or enhancement of scenic beauty and which is publicly controlled and maintained pursuant to 23 U.S.C. § 319.

History: L. 1972, ch. 251, § 3; L. 1975, ch. 427, § 220; L. 2006, ch. 141, § 2; July 1.

Source or Prior Law:

68-2218.

Attorney General's Opinions:

Authority of city to regulate signs and billboards on private property; conflict with state and federal laws. 96-22.

CASE ANNOTATIONS

1. Act does not attempt to regulate noncommercial speech and noncommercial signs and is constitutionally valid. *Roberts Enterprises, Inc. v. Secretary of Transportation*, 237 Kan. 276, 281, 284, 699 P.2d 479 (1985).