

## CHAPTER 1

### PROGRAM OVERVIEW

#### 1.1 PROGRAM INTENT

The Florida Scenic Highways Program is a grass roots effort to heighten awareness of our State's history and intrinsic resources. These intrinsic resources include the cultural, historical, archeological, recreational, natural and scenic qualities valued by Florida residents and the millions of tourists who visit our State each year. The primary intent of the Florida Scenic Highways Program is to designate roadway corridors where we can preserve, maintain, protect and enhance intrinsic resources for the traveling public's enjoyment.

Not only will travelers experience Florida's resources more fully on a Scenic Highway, the highways themselves will provide economic opportunities for their surrounding communities. Through community-based consensus and partnerships, a sustainable balance between conservation and land use can be accomplished, improving not only the traveling experience, but the community's "quality of life" as well.



#### 1.2 MISSION STATEMENT

The ***Florida Scenic Highways Program Mission Statement*** reflects the interconnected nature of Florida's highways, resources and communities.

*The Florida Scenic Highways Program will preserve, maintain, protect and enhance the intrinsic resources of scenic corridors through a sustainable balance of conservation and land use. Through community based consensus and partnerships, the program will promote economic prosperity and broaden the traveler's overall recreational and educational experience.*

The Florida Scenic Highways Program focuses on community-based support and resource protection while seeking to promote regional economic benefits that may result from designation. These highways strive to educate travelers by “telling a story” that is representative of Florida lifestyles of the past and present. The ultimate goal of the Florida Scenic Highways Program, however, is to preserve, maintain, protect and enhance Florida’s unique intrinsic resources.



### 1.3 PROGRAM HISTORY

A 1966 study entitled ***A Proposed Program for Scenic Roads and Parkways [FHWA, 1966]*** discovered over 50,000 miles of existing or proposed scenic corridors in the United States. A feasibility study for a national system was reported to Congress in 1975. These early studies documented the work of many agencies and led to Scenic Highway conferences in 1988 and 1989. In 1991, the ***Intermodal Surface Transportation Efficiency Act (ISTEA)*** initiated the development of a National Scenic Byways Program (NSBP). The NSBP has since continued by the reauthorization of the program through the ***Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21)*** in 1998 and again by the ***Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)*** in 2005. Before then, individual states or agencies granted designation independently.

ISTEA established a National Scenic Byways Advisory Committee that was instrumental in providing the framework for the National Scenic Byways Program (NSBP), administered by the Federal Highway Administration (FHWA). The NSBP is intended to recognize and promote corridors that have outstanding qualities by designating them as National Scenic Byways or All-American Roads. National level designation facilitates the preservation and protection of these resources while providing highway travelers a chance to experience the nation’s cultural, historical, archeological, recreational, natural and scenic treasures. While the NSBP aims at preserving irreplaceable resources throughout the country, it also offers the benefits of increasing national and international tourism and stimulating economic growth. All-American Roads, considered to be the premier National Scenic Byways, offer

the most outstanding examples of America's unique resources. These highways are recreational destinations unto themselves. Their international promotion will stimulate foreign tourism and showcase the beauty and character of America.

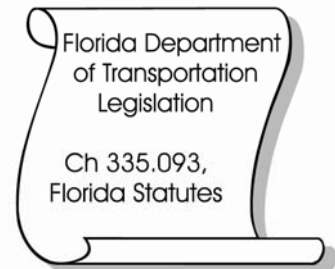
Early on, the National Scenic Byways Advisory Committee specified that roads should first be recognized at the state level as scenic highways before they receive National Scenic Byway or All-American Road status. This decision prompted the enhancement and development of state scenic byway programs across the country. Grants and other federal monies were made available through ISTEA, and then sustained through **TEA-21** and **SAFETEA-LU** to establish new state programs or enhance existing state or federal scenic byways.

Prior to the ISTEA legislation, Florida had no official statewide scenic highways program. There are several routes designated by the Florida Legislature as "scenic and/or historic," but these highways were selected on a case-by-case basis and evaluated independently without uniform criteria. A listing of these routes can be found in the Environmental Management Office publication, Legislatively Designated Scenic Highways available on the Florida Scenic Highways Program web site. In 1993, State legislation was passed to enable the State, through the Florida Department of Transportation, to establish an official program for scenic highways. In 1994, the Department applied for and received a Scenic Byways Grant from FHWA to develop a Florida Scenic Highways Program. Originally published in 1996, this **Program Manual** is a product of that process.

Since its creation, the Florida Scenic Highways Program (FSHP) and **Manual** have gained significant recognition and attention, within the State as well as nationally and internationally. As part of the implementation of the FSHP, training courses were developed in late 1996 and are offered to Program participants throughout the State. The training program is organized in modules so that communities receive a personalized training session relevant to their progress in the program process. Training courses are still offered to Program participants in this manner presently. Further substantiating the Program, the Secretary of the Florida Department of Transportation approved and signed an FDOT procedure establishing the Florida Scenic Highways Program in February 1997, making it an official program of the Department. In April 1997, the Program received federal recognition. The Federal Highway Administration bestowed an **Environmental Excellence Award** for Excellence in Environmental Process to



1993



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1996

the Department for its creation of the Florida Scenic Highways Program. The FSHP Manual has been borrowed by other states such as Maine and Ohio to help in the development of their own State programs. In addition, the **Manual** serves as a guide for developing the scenic highways program in South Africa. The FSHP success has been exemplified by the recognition it has received and the interest of communities wishing to attain scenic highways designation for their corridors.

## 1.4 INTRINSIC RESOURCES

The intrinsic resources identified in the Florida Scenic Highways Program represent Florida's cultural, historical, archeological, recreational, natural and scenic features that are deserving of recognition. Because these resources are the foundation of the Florida Scenic Highways Program, criteria and requirements have evolved to ensure their protection.

The six intrinsic resources considered in this Program include both manmade and natural features from the past and present. *Cultural Resources* include the traditions, values, customs and arts of social groups. *Historic Resources* reflect human actions evident in past events, sites or structures. *Archeological Resources* embody the physical evidence or remains of human life, activities or cultures. *Recreational Resources* highlight activities dependent upon the natural elements of the landscape. Those natural landscapes showing little or no disruption by humans are considered *Natural Resources*. Finally, *Scenic Resources* are combinations of natural and manmade features that give the visual landscape remarkable character and significance. A complete definition and examples of each resource type can be found in **Chapter 5 - Designation Criteria**.



## 1.5 DESIGNATION CLASSIFICATION

To become designated as a Florida Scenic Highway, a corridor must fall into one of two classification categories: Scenic or Heritage. Scenic Corridors are those highways that meet program criteria for natural, recreational or scenic resources. Whereas, Heritage Corridors are those highways that meet program criteria for historical, archeological or cultural resources. Early in the eligibility process, an applicant will need to determine which classification category is being sought. The designation classification will be promoted by educational and promotional materials, but the designation will remain as a “Florida Scenic Highway.”

## 1.6 BENEFITS OF SCENIC HIGHWAY DESIGNATION

A Florida Scenic Highway designation can benefit a community in several related areas:

- Resource Protection
- Community Recognition
- Economic Development/Tourism
- Community Vision
- Partnering

**Resource Protection** is the primary benefit of Florida Scenic Highway designation. Designation provides the opportunity to preserve, maintain, protect and enhance the intrinsic resources identified as significant, exceptional and distinctive to a particular region. By recognizing the significance of a corridor’s resources, it protects these resources for future generations to enjoy, and answers the **Mission Statement’s** call for a “sustainable balance of conservation and land use.”

**Community Recognition** relates to the effects that a designation may have on tourism and the promotion of communities and regions. Recognition will come from the inclusion of scenic highways on statewide maps and promotional materials such as brochures and travel guides. The posting of official Florida Scenic Highway logo signage along the designated highways will identify the corridors as “special places” with important resources worth experiencing.

Perhaps the most tangible benefit from a designation is the opportunity for **Economic Development/Tourism**. Currently, millions of tourists visit Florida each year, many arriving by car. Scenic highways offer these visitors alternative routes to travel throughout the State, many of which traverse out-of-the-way areas. Florida residents also generate revenues when traveling within the State. Demand for travel industry services such as recreational tours, lodging, restaurants, gas stations and other tourist-related business will likely increase, promoting economic growth. These businesses





not only generate new jobs, but increase retail sales and broaden the local tax base. For instance, preliminary results of an **Economic Impact Study** in Colorado estimate that sales of tourism-related businesses along designated corridors increased by 10% (See **Chapter 8 - Funding and Promotion** for a discussion of corridor promotion and marketing methodology). This and additional economic benefit information is found in a 1997 study entitled **Florida Scenic Highways Program Economic Benefits Status Report**. This FDOT publication contains information from around the

country on the economic benefits related to scenic highway designations. Although increased economic development may well be a major benefit of designation, it is important to remember that a scenic highway must be managed properly. It is imperative that exceptional resources be preserved and protected, not diminished.

Designation also contributes to the development of a **Community Vision**. This relatively recent planning approach known as visioning focuses on the guiding principles and identity of a particular community. A scenic highway designation can complement and support a **Community Vision** by instilling a sense of community pride, thereby reinforcing the importance of recognition. In fact, the scenic highway itself may become the central focus for community development.



The opportunity for **Partnering** is a key benefit of the Florida Scenic Highways Program. Many facets of our society are beginning to realize the tremendous potential and synergy of cooperative relationships. Because consensus is necessary to accomplish any large planning task, the concept of partnering to accomplish specific corridor goals cannot be overstated. Partnering fosters a sense of unity and support for common goals and benefits all parties involved. For example, a local corporation might sponsor several interpretive kiosks along a scenic highway. The community benefits from such sponsorship by having the corridor made attractive to visitors, while the corporation will receive recognition of its sponsorship. By encouraging cooperation, this program opens the door for private community groups and corporate citizens to work together in achieving similar goals.

Partnering between local, regional, state and national public agencies fosters a better understanding of the responsibilities and challenges each agency faces. Public partnerships might include funding support, technical assistance and integration of existing complementary public programs; they need not focus primarily on economic gain.



The benefits of a Florida Scenic Highway designation can be increased if State designated roadways become National Scenic Byways or All-American Roads. These roadways will attract national and international travelers, bringing additional recognition and economic benefits to these regions.

## 1.7 PROGRAM PROCESS

The Florida Scenic Highways Program process is divided into three phases: 1) *Eligibility*, 2) *Designation* and 3) *Implementation* (See **Exhibit 1**). This **Program Manual** is designed to guide an applicant through each of these important phases. An applicant begins the *Eligibility Phase* by forming a Corridor Advocacy Group (CAG) to develop an **Eligibility Application**. Information contained in this package will be used by the Department of Transportation to determine whether it is probable the corridor will meet the criteria and requirements for designation. Following eligibility, the CAG begins the *Designation Phase* by developing a Corridor Management Plan (CMP), which serves as the **Designation Application** and specifies the operational procedures, protection techniques and standards/regulations by which the corridor will be managed and enhanced. If it is determined that the CMP satisfies all Program process requirements in this manual, designation will be granted. This designation initiates the *Implementation Phase*, in which the actions, techniques and procedures specified in the CMP are carried out, including corridor monitoring, fundraising, community involvement, volunteer activities, annual reports, and CMP updates. Detailed explanations of all required corridor features and necessary CAG actions are provided in the chapters that follow.

## 1.8 HOW DO YOU USE THIS MANUAL?

This **Program Manual** provides the necessary guidance to achieve scenic highway designation. The three phases of the Florida Scenic Highways Program (*Eligibility*, *Designation* and *Implementation*) and their specific requirements are detailed here, and applicants are given step-by-step instructions on the Program.



- **Chapter 2 - Eligibility Phase** provides a general overview of the entire Program Process as well as specific guidance on the process for determining eligibility.
- **Chapter 3 - Designation Phase** instructs the applicant on preparing the elements of the Corridor Management Plan (CMP), which serves as the guiding document for the scenic corridor's implementation and management.
- **Chapter 4 - Implementation Phase** details the transition from applicant to a designated highway and implementation of the Corridor Management Plan, CME responsibilities, corridor monitoring, and CMP updates.
- **Chapter 5 - Designation Criteria** describes the criteria by which each proposed corridor will be evaluated.
- **Chapter 6 - Intrinsic Resource Assessment** provides the method for identifying and evaluating the corridor's intrinsic resources.
- **Chapter 7 - Protection Techniques** contains sample protection techniques for intrinsic resource preservation.
- **Chapter 8 - Funding and Promotion** suggests funding sources for scenic highway implementation and provides a discussion of corridor promotion and success measurement.
- **Chapter 9 - National Program** discusses the relationship between the Florida Scenic Highways Program (FSHP) and the National Scenic Byways Program.
- **Appendix A - Definitions and Acronyms** are identified for commonly used words, titles, or phrases throughout the Florida Scenic Highways Program Manual.



- **Appendix B - Applications and Forms** are presented for the Florida Scenic Highways Program process. Included are the **Letter of Intent, Eligibility Application, Designation Application** and Forms needed to complete the Corridor Impressions Survey and the Field Inventory.
- **Appendix C - Sample Agreements and Partnerships** are provided to demonstrate possible ways to create partnerships within a designated corridor.
- **Appendix D - Technical Support** contains a listing of FDOT District Scenic Highways Coordinators. These references can be used by the CAG in their correspondence with the FDOT.
- **Appendix E - National Program** contains the **Nomination Form and Instructions** needed when applying for national level designation under the National Scenic Byways Program, including the Interim Policy from FHWA.
- **Appendix F - Administrative Rule** contains mandatory procedures which are explained in the **Florida Scenic Highways Program Manual**.



## 1.9 WHAT IF THERE IS A QUESTION?

The **Program Manual** exists for the applicant's and corridor's benefit. Each section is written to be self-explanatory; yet, some questions and issues may arise which are not addressed by the **Program Manual**. If this occurs, an applicant should contact their District Scenic Highways Coordinator (DSHC). The District Scenic Highways Coordinator is the person who has been appointed to implement the Florida Scenic Highways Program within their District. The District Coordinator can answer questions and assist applicants in the Florida Scenic Highway designation process. The DSHC is always readily available to assist any Scenic Highway groups with questions or problems they may have. A list of District Scenic Highway Coordinators is provided in **Appendix D**.

## 1.10 LIMITATIONS AND EXCEPTIONS

The Program does contain some limitations and exceptions pursuant to federal or state laws and Department rules. These are:

**Outdoor Advertising on Scenic Highways:** In **23 USC 131**, new outdoor advertising is precluded on designated scenic highways/byways. Once a corridor has been designated as a Florida Scenic Highway, the Outdoor Advertising Office is precluded from issuing new

permits for outdoor advertising signs which are within six hundred and sixty feet (660') of the nearest edge of the right-of-way and visible from the Interstate and National Highway Systems, the Federal Aid Primary System (as of June 1, 1991) and the State Highway System along the corridor. Existing signs do not become nonconforming as a result of the scenic highway designation. However, other conditions (e.g., land use) may cause a change to the sign's conformity status. Outdoor advertising sign acquisition will require payment of just compensation (no amortization) on the Interstate, National Highway System or the Federal Aid Primary System (as of 1991). This is a federal requirement under **Title 23, U.S. Code, Section (g)** and followed under the complimentary **Florida Statute 335.093 and 14-10.004(5) Florida Administrative Code** and is considered adopted by the Florida Scenic Highways Program for non-State highways.

**Acquisition of Property Rights:** In compliance with **23 CFR 710.513**, which was effective January 21, 2000, the District Right-of-Way Office was mandated responsibility for overseeing compliance with the **Federal Uniform Relocation and Real Property Acquisition Policy Act of 1970** (referred to as the **Uniform Act**) on all property and property rights acquisition where FHWA (**Title 23**) federal funds are to be used in any project phase or where there is anticipation or intent to use FHWA federal funds at some future point in any project phase. The use of FHWA funding or intent to use FHWA funding "federalizes" the corridor and all subsequent property or property rights acquisition related to the scenic highway. Therefore, applying for and spending federal money does not mean that the entire corridor is now considered federal. This just means that any acquisition of land requires just compensation to the owner of the property.

**Sunshine Law Requirements:** Meetings of the Corridor Advocacy Group (CAG) and the Corridor Management Entity (CME) must be conducted in open public forum pursuant to the requirements of **Section 286.011, Florida Statutes**. Therefore, all meetings and business discussions must be open to the public, reasonable notice of the meetings must be given, and minutes of the meetings must be recorded and made available to the public. Consult the FSHP Web Site and FSHP **Sunshine Law Guidance Document** for more information on the Sunshine Law requirements for CAG and CME or see **Section 2.18 – Corridor Advocacy Group Formation**.

**Grandfathering:** All public roads designated as a Florida Scenic Highway under the FSHP prior to July 1, 2002 which do not meet the current program criteria (**Chapter 5 - Designation Criteria**) are grandfathered as scenic highways.

**Funding:** Although the State of Florida does not have a grant program for designated corridors, the Federal Highway Administration offers grants to designated byways and byway programs. Under the National Scenic Byways Program and **SAFETY-LU**, about \$30-40 million annually in grant money is available for nationally and state designated scenic highways. Candidates must apply for the funds through their State Scenic Highways Program. In addition, there are numerous federal discretionary grant programs which can provide funds to designated corridors. Historically, designated corridors in Florida have been very successful in receiving grant money. Corridor groups are encouraged to

coordinate specific grant issues through their District Scenic Highway Coordinator for guidance.

### **1.11 FREQUENTLY ASKED QUESTIONS ABOUT THE PROGRAM**

**Q:** Is it true that designation under the Florida Scenic Highways Program takes a lot of work and time? If so, why?

**A:** The intent of the Florida Scenic Highways Program is to preserve, enhance, and maintain significant Florida resources. In order to do that effectively, candidates must gather “full information” about their corridor, and a partnership must exist ensuring that plans for the corridor are implemented. Full information, partnership and consensus can be slow in obtaining. For corridors already participating in the program, the process has typically taken about two years to obtain designation. However, there are no mandatory dates or deadlines in the manual for application submission. Applicants proceed at their own pace.

**Q:** Can county roads become part of the Scenic Highway System?

**A:** All paved, public roads are eligible for designation, generally should be more than one mile in length and be able to safely accommodate two-wheel drive motor vehicles. Spur or loop roads, which contain intrinsic resources may be included as part of the corridor.

**Q:** Are roads previously designated as scenic or historic by the Florida Legislature considered Florida Scenic Highways?

**A:** No. Highways previously designated scenic or historic highways by the Florida Legislature do not automatically qualify for designation as a Florida Scenic Highway. These “Legislatively Designated” highways, like all other proposed highways, must be determined eligible and designated according to the process and requirements of the ***Florida Scenic Highways Program Manual (Section 2.1 and 3.1)***.

**Q:** What is the difference between an “eligible” and a “designated” scenic highway?

**A:** The status of a state scenic highway changes from eligible to designated when a Corridor Advocacy Group follows each step of the process, applying for eligibility, developing a Corridor Management Plan (CMP) and receiving notification from the Secretary of Transportation that the highway has been designated as a Florida Scenic Highway.

**Q:** How are officially designated scenic highways identified?

**A:** The Florida Scenic Highways logo appears on signs positioned at strategic points on designated highways. Sign placement is in accordance with the FDOT Traffic Operations Manual. National Scenic Byways and All American Roads are shown on the National

Scenic Byways map. State corridors are also identified on national, state and local maps, through State and National websites and through a Statewide marketing plan.

**Q:** Can designation as a Florida Scenic Highway preclude widening?

**A:** No. Designation as a Florida Scenic Highway does not limit the Department's ability to complete improvements to a roadway corridor. The focus of the Florida Scenic Highways Program by Statute is resource protection, maintenance, enhancement and promotion.

**Q:** Is it the Department's responsibility to protect designated corridors?

**A:** The Department is a partner in the protection of the designated corridor, but does not have sole responsibility. In Florida, land uses are protected by local government's comprehensive plans, while roadways and rights-of-way are the responsibility of the agency with jurisdiction. For State roads, that agency is FDOT. Scenic highway designation is intended to preserve, enhance and maintain the intrinsic resources along a corridor, many of which lie outside the road's right-of-way.

**Q:** Does scenic highways designation require the removal of outdoor advertising or off-site signs?

**A:** Scenic highway designation does not require the removal of existing outdoor advertising or off-site signs. Designation, in accordance with federal regulations, will not permit the issuance of new outdoor advertising permits on designated corridors.

**Q:** Will designation of a corridor require additional work during planning and project development?

**A:** Designation does not necessarily require additional work during planning and project development. Since a requirement of designation is that corridor goals and specific action items are included in the local government comprehensive plan - a document already examined during planning and project development - no new requirements exist. However, it may be wise for the scenic highway's Corridor Management Plan to be examined during planning and project development. These plans will outline action plans for the corridor, elements of which could be incorporated into programmed improvements. It should also be noted that ***Part II, Chapter 29 of the FDOT Project Development and Environment Manual, Topic No. 650-000-001*** discusses project development along designated scenic highways. This chapter informs the practitioner of available information about the corridor and assists in outlining special considerations that may be examined regarding scenic highways during project development.

**Q:** Can a scenic highway be designated under both classifications: Scenic or Heritage?

**A:** While a scenic highway can have both qualities, one classification will dominate. The CAG should prepare their applications focusing on one classification only.

## 1.12 KEY POINTS

In this chapter, the following key points were presented:

- The ***Intent*** of the Florida Scenic Highways Program is to preserve, maintain, protect and enhance intrinsic resources.
- As part of its ***Mission Statement***, the Program seeks to promote community economic prosperity and broaden travelers' educational and recreational experiences.
- The six ***Intrinsic Resources*** are cultural, historical, archeological, recreational, natural and scenic in nature.
- ***Benefits*** of designation include resource protection, community recognition, economic development/tourism, community visioning, and partnering.
- The ***Program Manual*** offers step by step instructions for seeking designation under the Florida Scenic Highways Program.
- The ***District Scenic Highways Coordinators*** are the initial point of contact for questions about the Program.



# Florida Scenic Highways Program Process

