



## BYWAY/BACKWAY SEGMENTATION APPLICATION PROCESS



The Division of Highways, by Commissioner's Order dated November 30, 1998, prohibited any additional outdoor advertising along routes designated as byways and backways; however, the order does allow segmenting. In accordance with the National Highway System Designation Act of 1995 (P. L. 104-59, Sec. 314), the criteria for segmenting excludes any portion of a byway/backway that is inconsistent with the State's criteria for designating State scenic byways. Accordingly, additional outdoor advertising may be permitted in areas that do not possess any of the intrinsic qualities for which the road was designated. Once a portion of the roadway has been segmented, that portion will not be eligible for funding under the National Scenic Byways program.

### **INSTRUCTIONS:**

- 1.) Complete the attached application. (Note: Applications need to be completed **prior** to seeking the permit.)
- 2.) Attach general county maps with proposed location of outdoor advertising clearly depicted. (Note: These maps may be obtained at the Division of Highways' District Office.)
- 3.) Submit application to the Division of Highways' District Office in which the permit is being sought.
- 4.) District forwards application to the Right-of-Way Division who, in turn, forwards it to the Planning and Research Division, thereby, initiating the review process. The next step in the process involves the review of the application by the Byway organization who will either concur with or deny the request. If denied, the Byway organization must justify the reason(s) for denying an application. The Planning and Research Division then must determine if such justification is sufficient to warrant denial of the application.
- 5.) This application process should take no longer than 90 calendar days from the time the application is initially submitted to the Planning and Research Division. Each applicant will receive notification documenting the receipt of the request, which will mark the beginning of the 90 days. This period of time is necessary in order for all parties to be given ample opportunity to properly review the application.
- 6.) In cases where all parties are unable to reach a consensus, the Division of Highways reserves the right to make all final decisions.

If you should have any questions concerning this process, please contact:

West Virginia Division of Highways  
Planning and Research Division  
Intermodal and Special Projects Section  
1900 Kanawha Boulevard, East  
Building 5, Room A-863  
Charleston, West Virginia 25305  
(304) 558-3165

**OR**

West Virginia Division of Highways  
Right-of-Way Division  
Outdoor Advertising/Salvage  
Yard Section  
1900 Kanawha Boulevard, East  
Building 5, Room A-607  
Charleston, West Virginia 25305  
(304) 558-3042



# BYWAY/BACKWAY SEGMENTATION APPLICATION



DATE: \_\_\_\_\_

## APPLICANT INFORMATION:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

## BYWAY/BACKWAY INFORMATION:

Byway/Backway Name: \_\_\_\_\_

Route Numbers: \_\_\_\_\_

**SEGMENT STARTS:** \_\_\_\_\_

**SEGMENT ENDS:** \_\_\_\_\_

**CURRENT ZONING OF SEGMENT (IF ZONED):** \_\_\_\_\_

**ZONING AUTHORITY (IF ZONED):** \_\_\_\_\_

**COMMENTS:** \_\_\_\_\_

***NOTE:*** *Attach photographs and general county maps with segmented area depicted.*

Approve

Deny

***Byway/Backway Organization:***

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

Approve

Deny

***Division of Highways, Right-of-Way Division:***

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

Approve

Deny

***Division of Highways, Planning and Research Division:***

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*