

By Senator Silver

38-1070-02

See HB 325

1 A bill to be entitled
2 An act relating to road designations;
3 designating a specified portion of Le Jeune
4 Road in the City of Coral Gables in Miami-Dade
5 County as a state historic road; prohibiting
6 the expenditure of state funds for certain
7 purposes; providing construction of the act;
8 directing the Division of Historical Resources
9 of the Department of State to provide for the
10 erection of suitable markers; providing an
11 effective date.

12
13 WHEREAS, the master plan of the City of Coral Gables,
14 created in the early 1920's, was a singular achievement
15 unequaled in its blend of beauty and practicality and
16 unsurpassed in its foresight, and

17 WHEREAS, that portion of Le Jeune Road situated within
18 the corporate limits of the City of Coral Gables and lying
19 between U.S. Highway 1 and Cartagena Plaza is a roadway graced
20 by huge mahogany trees that have matured for at least 40
21 years, forming a canopy for the roadway that offers shade to
22 residents and passersby and thereby creating the beauty and
23 repose sought by the founder of the City of Coral Gables,
24 George E. Merrick, and

25 WHEREAS, the citizens of the City of Coral Gables have
26 expressed their unalterable opposition to the widening of this
27 portion of Le Jeune Road, to the alteration of its appearance,
28 or to its utilization as a north-south arterial highway, and

29 WHEREAS, the citizens of the City of Coral Gables
30 desire to maintain the historic and aesthetic beauty of this
31 portion of Le Jeune Road, NOW, THEREFORE,

1 Be It Enacted by the Legislature of the State of Florida:

2
3 Section 1. That portion of Le Jeune Road situated
4 within the corporate limits of the City of Coral Gables and
5 lying between U.S. Highway 1 and Cartagena Plaza is hereby
6 designated as a state historic road. No state funds may be
7 expended by any public body or agency for the following
8 purposes:

9 (1) To widen or broaden that portion of Le Jeune Road
10 described in this section or to alter its physical dimensions
11 or location.

12 (2) To alter, remove, or replace any landscaping of
13 that portion of Le Jeune Road described in this section, which
14 shall include any mahogany trees on either side of the paved
15 surface of the road.

16
17 Nothing in this act shall be construed to prevent the ordinary
18 maintenance and repair of that portion of Le Jeune Road
19 situated within the corporate limits of the City of Coral
20 Gables and lying between U.S. Highway 1 and Cartagena Plaza,
21 provided that the physical dimensions and location of the
22 highway are preserved; nor to prevent the removal or
23 replacement of any landscaping, including any mahogany trees
24 located on either side of the paved surface of the road, if
25 such landscaping is determined by the appropriate governmental
26 authority to be diseased or damaged; nor to prevent any work
27 that is necessary for the public health or safety as
28 determined by the agency having jurisdiction over the portion
29 of Le Jeune Road described in this section; nor to prevent the
30 removal of invasive plant species on the roadway or
31 right-of-way; nor to prevent such action deemed necessary to

1 clear or maintain the road subsequent to a natural disaster
2 such as a hurricane. The term "ordinary maintenance" means
3 those activities necessary to preserve the existing traffic
4 patterns and to accommodate the volume of traffic operating on
5 that portion of Le Jeune Road described in this section on the
6 effective date of this act. However, the preservation of the
7 portion of Le Jeune Road described in this section and its
8 landscaping take priority over considerations of traffic
9 management, and the public safety shall not be construed to
10 require alterations in that portion of Le Jeune Road described
11 in this section or its landscaping when alternative means of
12 promoting safety, including more restrictive regulations, are
13 available.

14 Section 2. The Division of Historical Resources of the
15 Department of State shall provide for the erection of suitable
16 markers on and along that portion of Le Jeune Road described
17 in section 1 of this act.

18 Section 3. The provisions of this act shall not
19 supersede a more restrictive law, ordinance, or rule already
20 in effect or taking effect after the effective date of this
21 act.

22 Section 4. This act shall take effect upon becoming a
23 law.

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26 LEGISLATIVE SUMMARY

27
28 Designates a specified portion of Le Jeune Road in the
29 City of Coral Gables in Miami-Dade County as a state
30 historic road. Prohibits the expenditure of state funds
31 for certain purposes. Provides construction of the act.
Directs the Division of Historical Resources of the
Department of State to provide for the erection of
suitable markers.