

1989

Session Law 89-383

Florida Senate & House of Representatives

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S 124 GENERAL BILL/1ST ENG by Souto and others (Similar H 712)
Red Road/Coral Gables Wayside Park; designates Red Road which borders Coral Gables Wayside Park in Miami as state historic highway; provides definition; provides restrictions on removing trees & on construction in area & physical alterations to area; provides for public meeting prior to physical alteration; provides for erection of suitable markers. Effective Date: 06/28/89.

01/24/89 SENATE Prefiled
02/13/89 SENATE Referred to Transportation
04/04/89 SENATE Introduced, referred to Transportation -SJ 17
04/11/89 SENATE On Committee agenda—Transportation, 04/13/89, 1:00 pm, Room-C-(LL-32)—No meeting, lack of quorum
04/14/89 SENATE Extension of time granted Committee Transportation
04/17/89 SENATE On Committee agenda—Transportation, 04/19/89, 8:30 am, Room-C-(LL-32)
04/19/89 SENATE Comm. Report: Favorable by Transportation, placed on Calendar -SJ 199
06/01/89 SENATE Placed on Special Order Calendar -SJ 686; Passed as amended; YEAS 34 NAYS 1 -SJ 787
06/01/89 HOUSE In Messages
06/02/89 HOUSE Received, placed on Calendar; Read second time; Read third time; Passed; YEAS 108 NAYS 0 -HJ 1177
06/02/89 Ordered enrolled -SJ 1406
06/12/89 Signed by Officers and presented to Governor
06/28/89 Became Law without Governor's Signature; Chapter No. 89-383

NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

REVISED: April 19, 1989

BILL NO. SB 124

DATE: April 7, 1989

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SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Meredith</u>	<u>Gargiulo</u>	1. <u>TR</u>	<u>Favorable</u>
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Red Road/State Historic Highway

BILL NO. AND SPONSOR:

SB 124 by Senator Souto

I. SUMMARY:

A. Present Situation:

State Road 959, known as "Red Road," intersects the East-West Expressway on the north and S.W. 72nd Street on the south. It is the western border of the city of Coral Gables.

The widening of "Red Road" from 2 lanes to 4 lanes is in the Metropolitan Planning Organization and the Dade County's Local Comprehensive Plan. The Florida Department of Transportation has allocated and expended a total of \$510,000 of federal aid urban funds and state match funds for preliminary design and engineering work performed for the project. An informational meeting was held on November 11, 1987. A public hearing is expected to occur in August, 1989.

B. Effect of Proposed Changes:

The bill would define "Red Road" as that portion of State Road 959 from S.W. 8th Street to S.W. 72nd Avenue and would designate it as a state historic highway. The expenditure of public funds for the removal of healthy trees except where they are a safety hazard, any alteration of the dimensions or location of the road, the median, the adjacent land, or the entranceway would be prohibited. The bill would also prohibit the expenditure of public funds for the construction of any new structure, or any building, clearing, or excavation on or along Red Road except for routine maintenance or work which is essential to the health, safety, or welfare of the environment.

Prior to performing any work allowed by the bill, the county would be required to hold an advertised public meeting to present the findings of fact requiring the work.

The Division of Historical Resources of the Department of State would be directed to erect suitable markers on and along Red Road.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None.

B. Government:

The Department of State estimates that eight signs at \$250 per sign would be required. The department stated that it has no funds appropriated for erecting markers.

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III. COMMENTS:

None.

IV. AMENDMENTS:

None.

STORAGE NAME: S0124-F.HSC
DATE: August 8, 1989

HOUSE OF REPRESENTATIVES
Committee on Highway Safety & Construction
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: SB 124
RELATING TO: Red Road/State Historic Highway
SPONSOR(S): Senator Souto and others
EFFECTIVE DATE: Upon becoming a law.
DATE BECAME LAW: June 28, 1989
CHAPTER #: 89-383, Laws of Florida
COMPANION BILL(S): Similar HB 712
OTHER COMMITTEES OF REFERENCE: (1) None
(2)

I. SUMMARY:

This bill designates Red Road in Dade County from S.W. 8th Street in Miami to S.W. 72nd Avenue, as a historic highway and provides restrictions on tree removal and physical alteration. The bill requires the erection of suitable markers.

A. PRESENT SITUATION:

Red Road in Dade County is on the State Highway System (State Road 959) and is the responsibility of the Department of Transportation. This road is on the western border of the City of Coral Gables. The department is currently designing the widening of Red Road from two to four lanes in accordance with the Dade County Transportation Plan as adopted by the County and the Metropolitan Planning Organization.

B. EFFECT OF PROPOSED CHANGES:

This bill designates Red Road (State Road 959) in Dade County from S.W. 8th Street in Miami to S.W. 72nd Avenue, including the entranceway to the Central Miami Subdivision, as a state historic highway. The bill also restricts public funds from being expended for:

- The removal of any tree which is not a safety hazard.
- The alteration of physical dimensions or location of the road, median strip, adjacent land, or any part of the original entranceway.

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- Any construction on or along the road of new structures, buildings, clearings, fillings, or excavation except for routine maintenance or work essential to the health, safety, or welfare of the environment.

Prior to the performance of any work necessary for the health, safety, or welfare, of the environment, including the removing of healthy trees, Dade County is required to advertise and hold a public meeting to justify the work.

The bill also contains a provision that more restrictive laws or regulations are not superseded by the bill.

The bill requires the Division of Historical Resources of the Department of State to erect suitable markers along Red Road.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

See Fiscal Comments (II. D.)

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

4. Appropriations Consequences:

See Fiscal Comments (II. D.)

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None

2. Direct Private Sector Benefits:

None

3. Effects on Competition, Private Enterprise, and Employment Markets:

None

D. FISCAL COMMENTS:

According to the Department of State, eight signs at an estimated total cost of \$2,000 (from General Revenue) will be required under the bill.

III. LONG RANGE CONSEQUENCES:

The department's Tentative Five Year Transportation Plan for 1989/90 through 1993/94 contains the following amounts for work on State Road 959:

- \$480 thousand for the design phase in the 1989/90 fiscal year;
- \$5.8 million for the right-of-way phase in the 1989/90 and 1990/91 fiscal years, and;
- \$4.9 million for the construction phase in the 1992/93 fiscal year.

Because this bill restricts the expenditure of public funds for improvements to Red Road, this roadway's capacity to handle current and future traffic volumes will continue to deteriorate unless alternate routes can be found.

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IV. COMMENTS:

A. LEGISLATIVE HISTORY:

1. Enacted Bill:

Senate Transportation Committee: Reported SB 124 favorably.

Senate Chamber: Technical amendment adopted and the bill was passed.

House Chamber: Passed the bill as amended.

2. Companion Bill:

House Highway Safety and Construction: Reported HB 712 favorably.

House Chamber: HB 712 died on the House Calendar.


V. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:


Phillip B. Miller

Staff Director:


Bill Ham