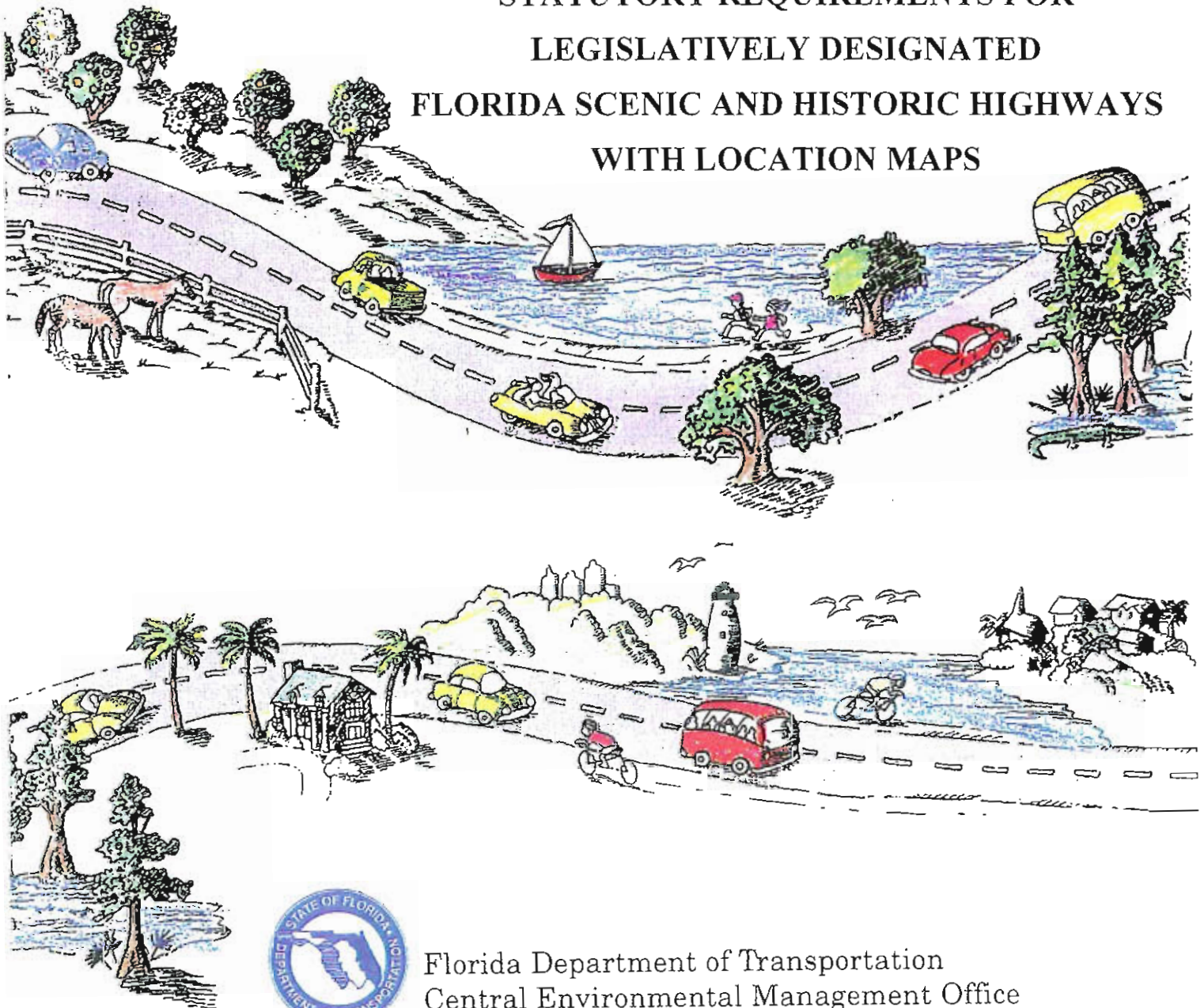




FLORIDA SCENIC HIGHWAYS PROGRAM

STATUTORY REQUIREMENTS FOR
LEGISLATIVELY DESIGNATED
FLORIDA SCENIC AND HISTORIC HIGHWAYS
WITH LOCATION MAPS



Florida Department of Transportation
Central Environmental Management Office

**Statutory Requirements for
Legislatively Designated
Florida Scenic and Historic Highways
with
Location Maps**

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INTRODUCTION

This report contains verbatim EXCERPTS from state bills and statutes pertaining to the designation of Scenic and Historic Roadways in the State of Florida. These are not complete copies of the statutes and are only intended to provide the location and general restrictions relating to the roadways.

This has been prepared to assist Districts in understanding which portions of roads have been designated by the Legislature as scenic and/or historic and what provisions for protection of the road corridors have been set out in state law. The report is formatted by District and will be updated as needed.

Credit for producing this booklet goes to Sheila Thompson (Co-op student) and Gerry M. Peacock (CEMO CADD Manager).

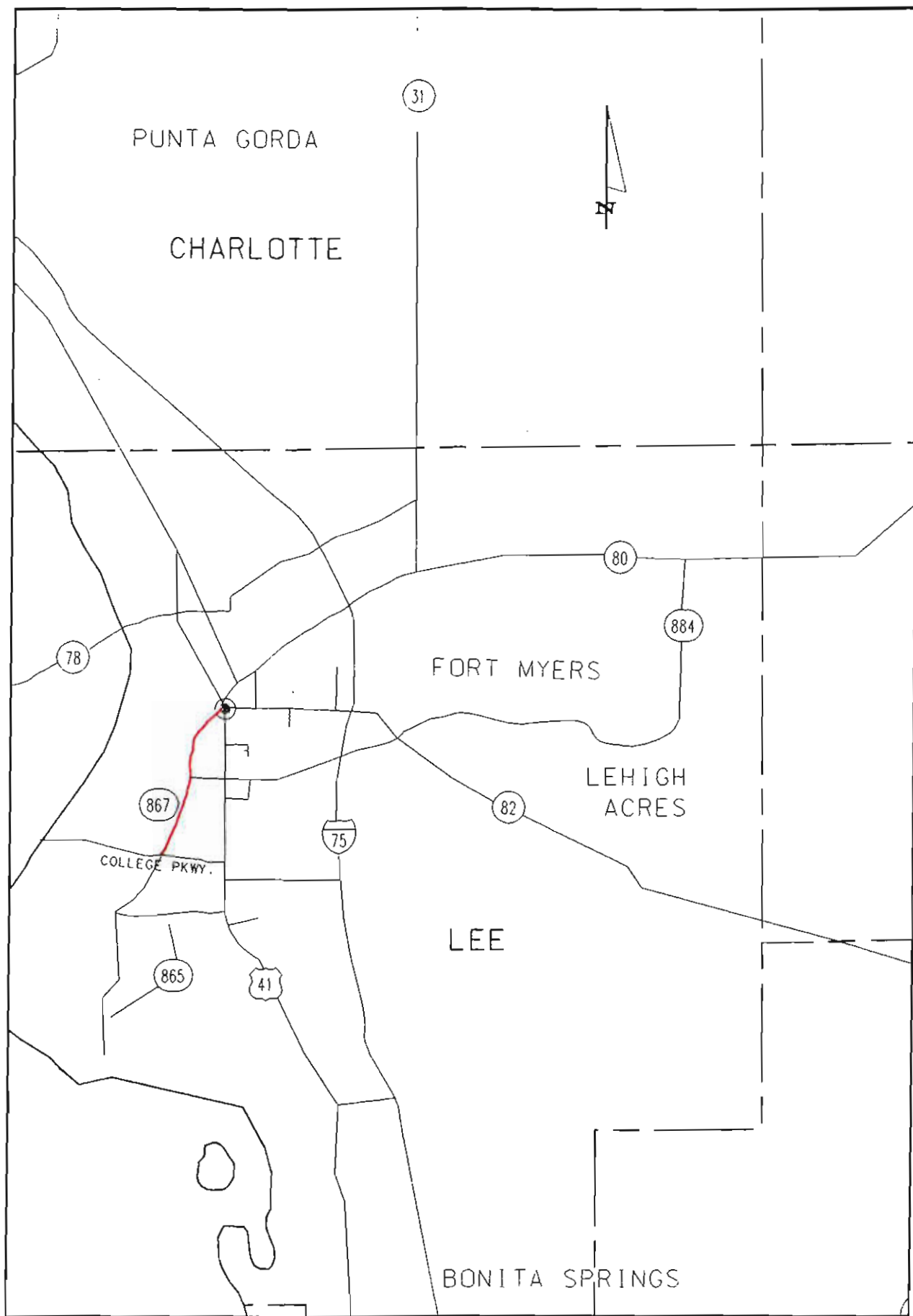
If you have any questions please contact Mr. Larry Barfield, State Scenic Highways Coordinator, at (904)922-7204 (SunCom 292-7204.)

MAP LEGEND

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SCENIC/HISTORIC ROADWAYS ...



D1-1

McGregor Boulevard State Historic Highway
Chapter 81-164, Laws of Florida (1981)(Amending 75-312)

Location

"(1) ...McGregor Boulevard which includes State Road 867 which extends from its intersection with US 41 (State Road 45) in Fort Myers south to its intersection with College Parkway in Fort Myers."

Restrictions

"Section 3. Designation as historic highway.--McGregor Boulevard is hereby designated as a state historic highway. No state or county funds shall be expended by any public body or agency for any of the following purposes:

- (1) To cut or remove any palm tree within 15 feet of either side of the paved surface of the road, or to engage in an activity which requires the removal without replacement of such a tree.
- (2) To alter the physical dimensions or location of the road except for the addition of primary or secondary roads intersecting the limits of McGregor Boulevard.
- (3) To erect, demolish or significantly alter the appearance of any structure, including, but not limited to, walls, fences, sidewalks and curbing, within 20 feet of either side of the paved surface of the road, with the following exceptions:
 - (a) Bicycle paths and recreational facilities the construction of which does not require the removal of any structure deemed worthy of preservation by the division.
 - (b) Erections, demolitions, alterations, and restorations undertaken for the purpose of preserving or enhancing the historic or scenic value of the road and its surroundings.
 - (c) The department shall review all work proposed to be funded in any part with state funds and shall have the authority to issue a permit for any work not contrary to the provisions of this act. Before permitting the emplacement of any sign or the erection, demolition, alteration or restoration of any structure, the department shall consult and obtain the official approval of the division.
 - (d) Nothing in this section shall be construed to prevent the ordinary maintenance and repair of the road or structures, provided the physical dimensions and location of the road and the appearance of any structure are preserved, nor to prevent any work that is necessary for the public health or safety as determined by the agency having jurisdiction over the portion of the road involved. Nothing in this act shall prohibit the establishment of three-lane traffic or three-lane turn intersections on said road if such can be accomplished without the dislocation of immediately bordering palm trees, or can be accomplished by transplanting said trees to conform with the revised intersection design.

Section 4. Signs.--No signs may be erected within 25 feet of either side of the paved

surface of the road, except the following:

- (1) Official road signs, including traffic control devices, erected by the Department of Transportation or by the city or county having jurisdiction over the portion of the road involved.
- (2) Signs not visible from the road.
- (3) Markers indicating points of historical interest erected or approved by the division.
- (4) Signs that do not exceed 6 square feet in area advertising the sale or lease of the property upon which they are located.
- (5) Signs advertising only the name or nature of the business being conducted upon or the products, facilities, goods or services being sold, supplied, or distributed upon or from the premises where the signs are located, if such signs do not exceed a total of 30 square feet in area for any one business.

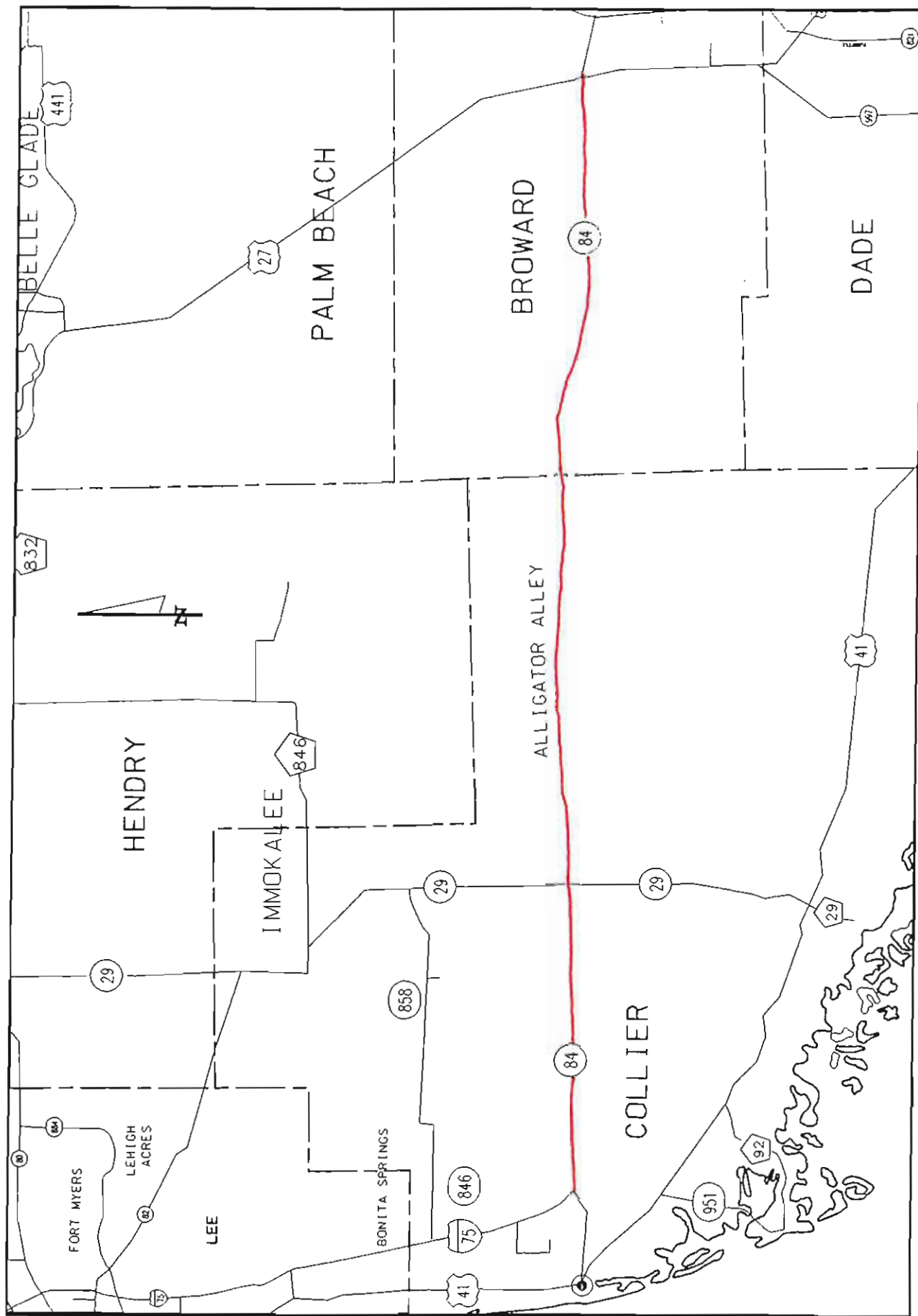
The provisions of this section shall not supersede a more restrictive law, ordinance or regulation already in effect or taking effect after this act and shall not include any signs existing before the effective date of this act.

Section 5. Easements.--The division is authorized to obtain by purchase, gift or devise historic easements in property situated along the road whenever and to such extent that the division may determine appropriate for the preservation of the road or of any structure of historic significance along the road. To be considered worthy of protection by the division, property or the protected part thereof need not be of great historic, architectural, archeological, or cultural significance when considered by itself, provided that it makes a significant contribution to the area considered as a whole. Any restriction placed on the use of property situated along the road pursuant to this section shall be reported by the division to the property appraiser of Lee County and shall be taken into consideration when the property is assessed for tax purposes.

Section 6. Nothing in this act shall be construed to permit any public body or agency to take or acquire private property rights abutting said highway without just compensation to the property owner.

Section 7. The division shall provide for the erection of suitable markers on and along the road.

Section 8. No signs, lights, reflectors, or any other objects may be mounted or attached in any way to the trunk or branches of any palm tree within 15 feet of either side of the paved surface of the road...."



Everglades Parkway Scenic Highway (Same as D4-2)
Chapter 335.092 Florida Statutes(1991)

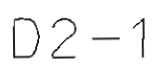
Location

"(a) ...the Everglades Parkway, which is a portion of State Road 84 commonly known as "Alligator Alley," in Collier and Broward Counties."

Restrictions

"(2) The Everglades Parkway is designated and declared to be an official scenic highway of the state. No advertising sign shall be erected or maintained within 500 feet of either side of the right-of-way of the parkway situate between the easternmost and westernmost tollgates, with the following exceptions:

- (a) Official road signs erected by the department or erected by a political subdivision of the state.
- (b) Signs advertising the sale or lease of the property upon which they are located, if they do not exceed 4 square feet in area.
- (c) Signs advertising only the name or nature of the business being conducted, or the products, facilities, goods or services being sold, supplied, or distributed on or from, the premises on which the signs are located, if such signs are within 500 feet of such business.
- (d) Signs erected and maintained by a public utility for the purpose of giving warning of the location of an underground cable or other installation...."



Suwannee River Scenic Highway (Upper Portion)
Chapter 10269, Laws of Florida (1925)(Amending Chapter 9311)

Location

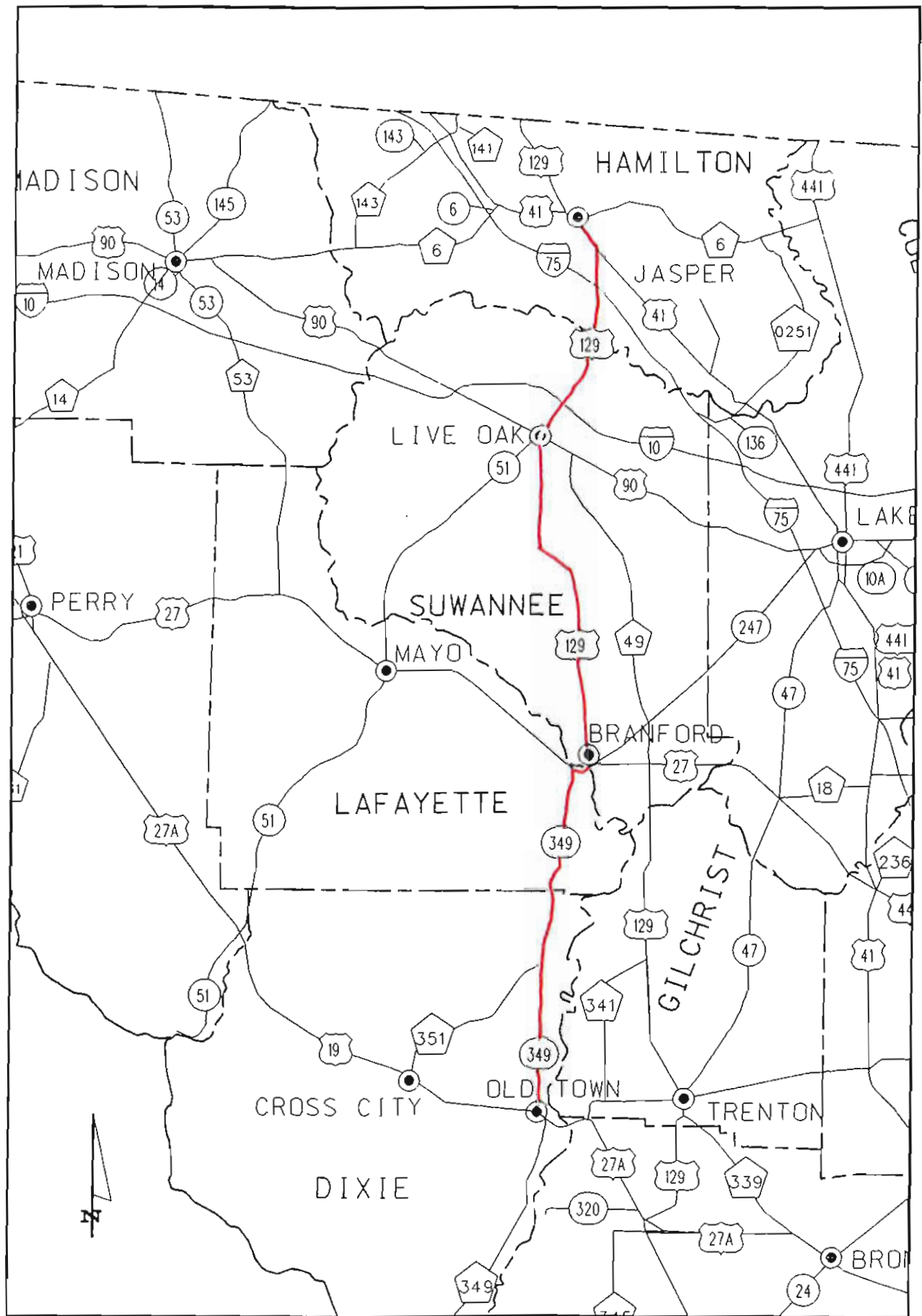
"...Suwannee River Scenic Highway. Extending from Branford to Jasper, via Live Oak..."

Restrictions

"...Section 1. That Section 1 of Chapter 9311, Laws of Florida, Approved June 8, 1923, entitled "An Act declaring, designating and establishing a system of State Roads, providing for the location thereof, and providing that such roads when located and constructed shall become and be the property of the State," be and the same is hereby amended so as to read as follows:

"Section 1. That the following named and numbered roads be and are hereby declared, designated and established as State Roads: ...

...Suwannee River Scenic Highway. Extending from Branford to Jasper, via Live Oak.
..."



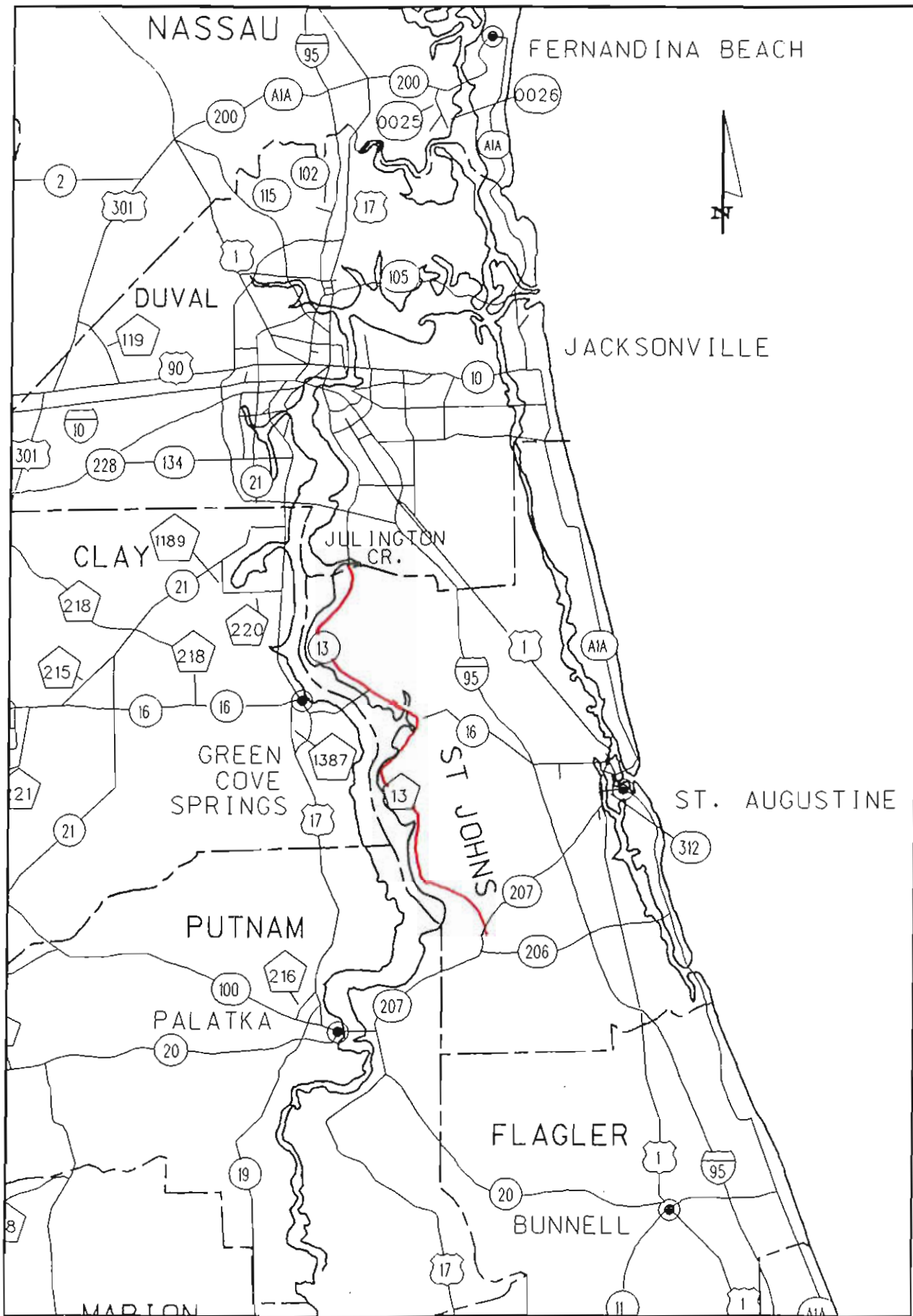
Suwannee River Scenic Highway (Lower Portion)
Chapter 12334, Laws of Florida(1927)

Location

“...Section 1. That the State Road designated as the Suwannee River Scenic Highway in Chapter 10269 Laws of 1925 shall be extended so as to cross the Suwannee River at Branford and thence in a Southerly direction via Old Town to intersect with State Road No. 19, and the same be and is hereby designated and established as a State Road. ...”

Restrictions

NA



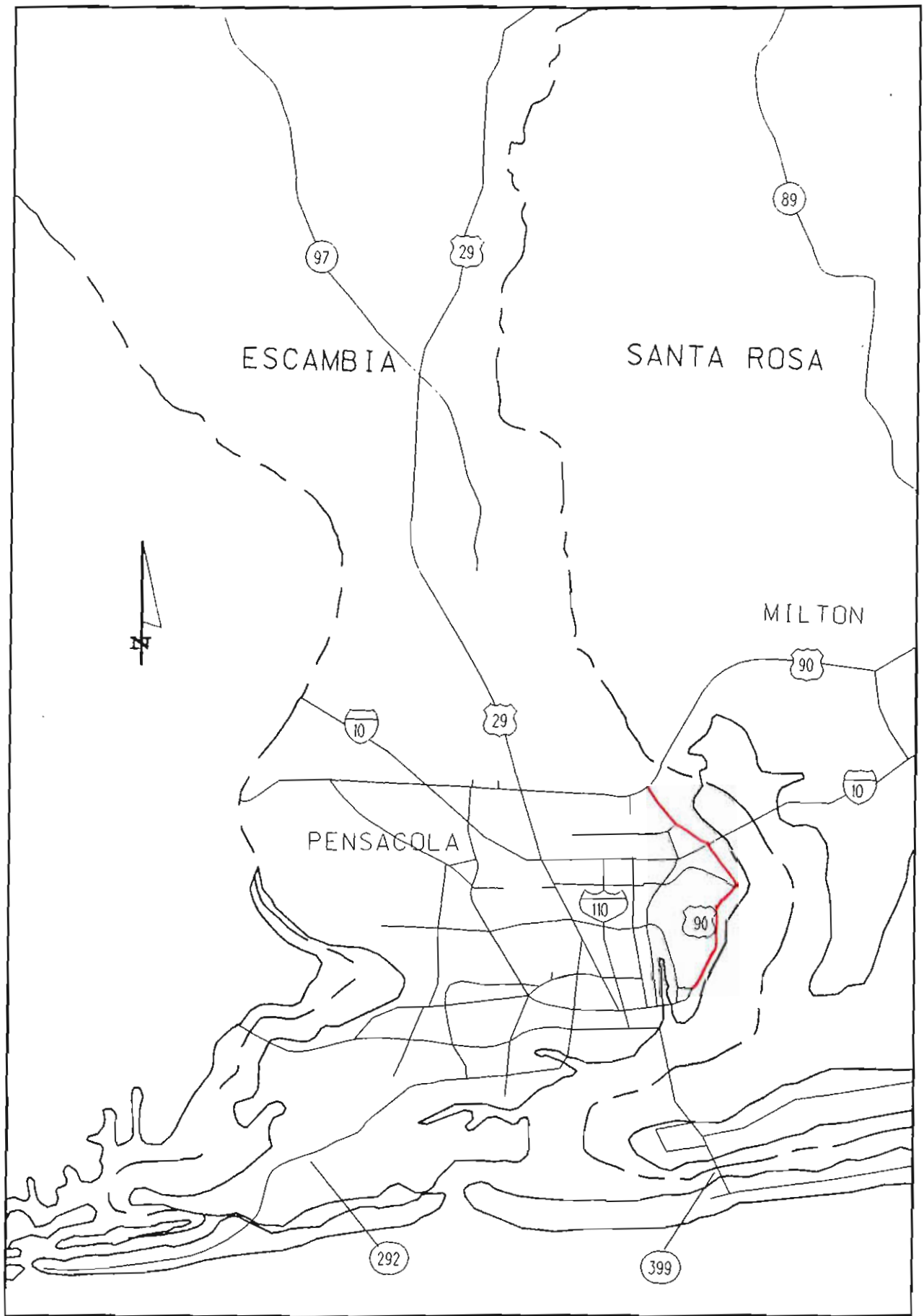
William Bartram Scenic Highway
Chapter 80-427, Laws of Florida(1980)

Location

"... Section 1. That portion of State Road 13, from Julington Creek to State Road 207, alongside the St. Johns River in St. Johns County is hereby designated as the William Bartram Scenic Highway . "

Restrictions

"... Section 2. The Department of Transportation is hereby directed to erect suitable markers along the highway. ..."



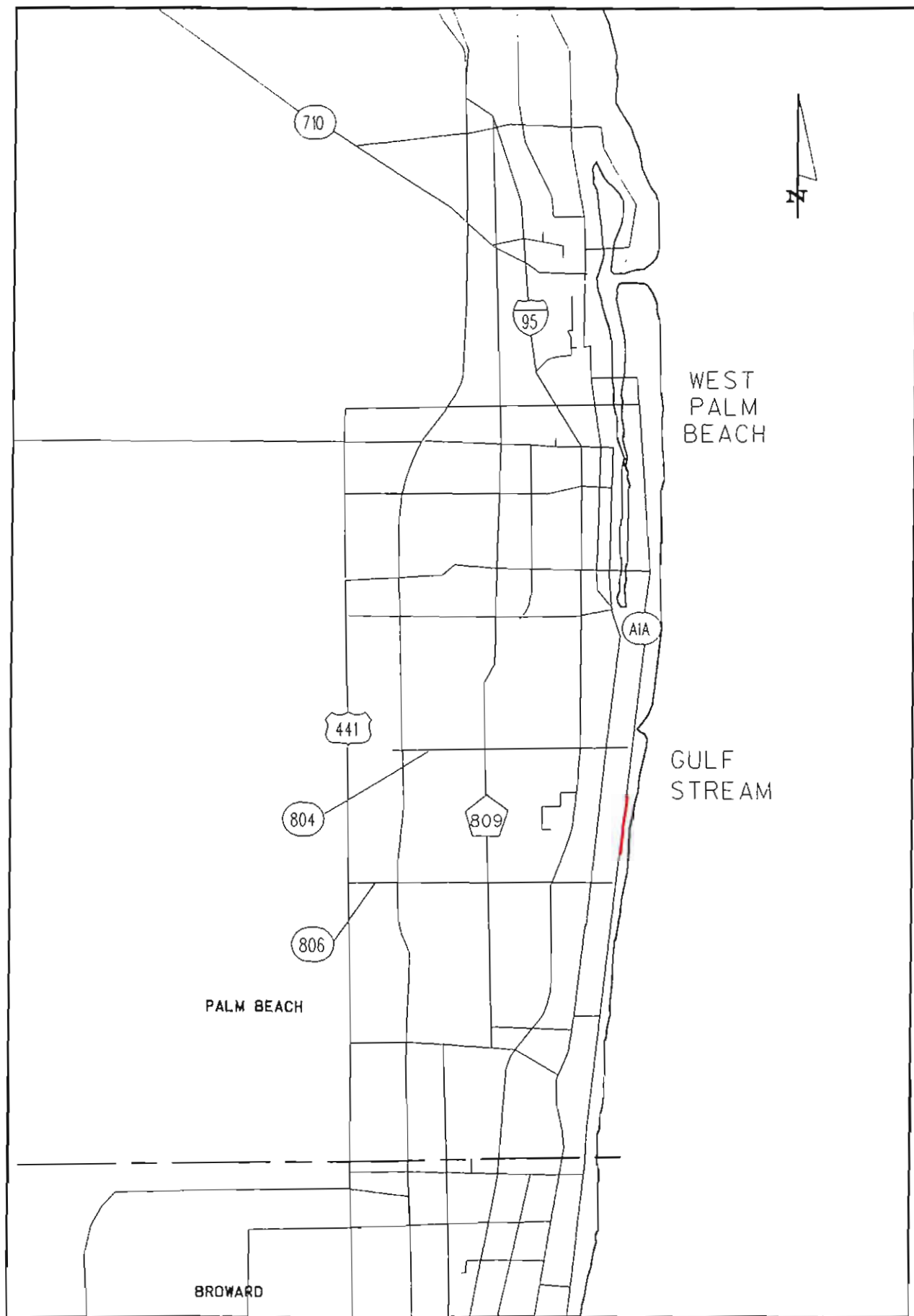
U.S. Highway 90 State Scenic Highway
Chapter 73-381, Laws of Florida(1973)

Location

"... Section 1. That portion of U.S. Highway 90 in Escambia County located between Mallory Street in East Pensacola Heights and the intersection of U.S. Highway 90 and Alternate U.S. Highway 90 is hereby designated as a state scenic route."

Restrictions

"Section 2. The Department of Transportation is directed to take such appropriate steps as may be necessary to effectuate that intent."



North Ocean Boulevard Historic and Scenic Highway
Chapter 92-152, Laws of Florida(1992)

Location

"Section 165. (1) ..."A1A," also known as "North Ocean Boulevard," means those portions of State Highway A1A located between Pelican Lane on the south and Sea Road on the north in the Town of Gulf Stream, Palm Beach County."

Restrictions

"(2) That portion of A1A described in this section as a "highway" is hereby designated as a state historic and scenic highway. No state funds shall be expended with regard to such highway by any public body or agency for the following purposes:

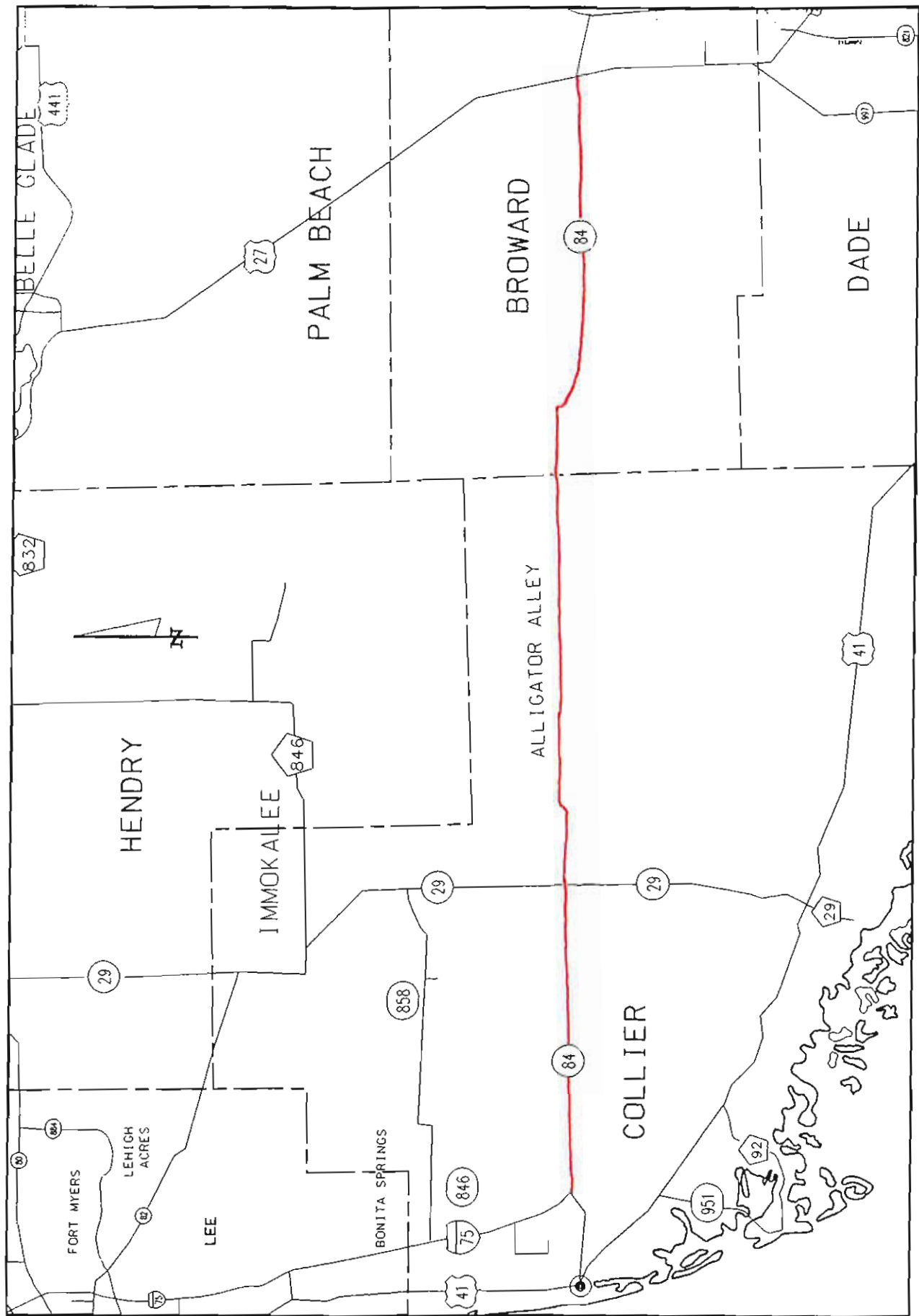
(a) To cut or remove any healthy tree having a diameter at its thickest part in excess of 4 inches, when situated within 35 feet of either side of the paved surface of the highway and which is not a safety hazard, unless such tree is replaced.

(b) To alter the physical dimensions or location of the highway except for the addition of primary or secondary roads intersecting the limits of A1A.

(3) Nothing in this section shall be construed to prevent the ordinary maintenance and repair of A1A, provided the physical dimensions and location of the highway are preserved, nor to prevent any work that is necessary for the public health or safety as determined by the agency having jurisdiction over the portion of A1A involved, nor to prevent such action deemed necessary to clear or maintain the highway subsequent to a natural disaster, such as a hurricane. The term "ordinary maintenance" means those activities necessary to preserve the existing traffic patterns and to accommodate the volume of traffic operating on A1A on the effective date of this act.

(4.) The Division of Historical Resources of the Department of State shall provide for the erection of suitable markers on and along A1A.

(5) The provisions of this section shall not supersede a more restrictive law, ordinance, or rule already in effect or which takes effect after the effective date of this act. ..."



Everglades Parkway Scenic Highway(Same as D1-2)
Chapter 335.092, Florida Statutes(1991)

Location

"(a)...the Everglades Parkway which is a portion of State Road 84 commonly known as "Alligator Alley," in Collier and Broward Counties."

Restrictions

"... (2) The Everglades Parkway is designated and declared to be an official scenic highway of the state. No advertising sign shall be erected or maintained within 500 feet of either side of the right-of-way of the parkway situate between the easternmost and westernmost tollgates, with the following exceptions:

- (a) Official road signs erected by the department or erected by a political subdivision of the state.
- (b) Signs advertising the sale or lease of the property upon which they are located, if they do not exceed 4 square feet in area.
- (c) Signs advertising only the name or nature of the business being conducted , or the products, facilities, goods or services being sold, supplied, or distributed on or from, the premises on which the signs are located, if such signs are within 500 feet of such business.
- (d) Signs erected and maintained by a public utility for the purpose of giving warning of the location of an underground cable or other installation. ..."

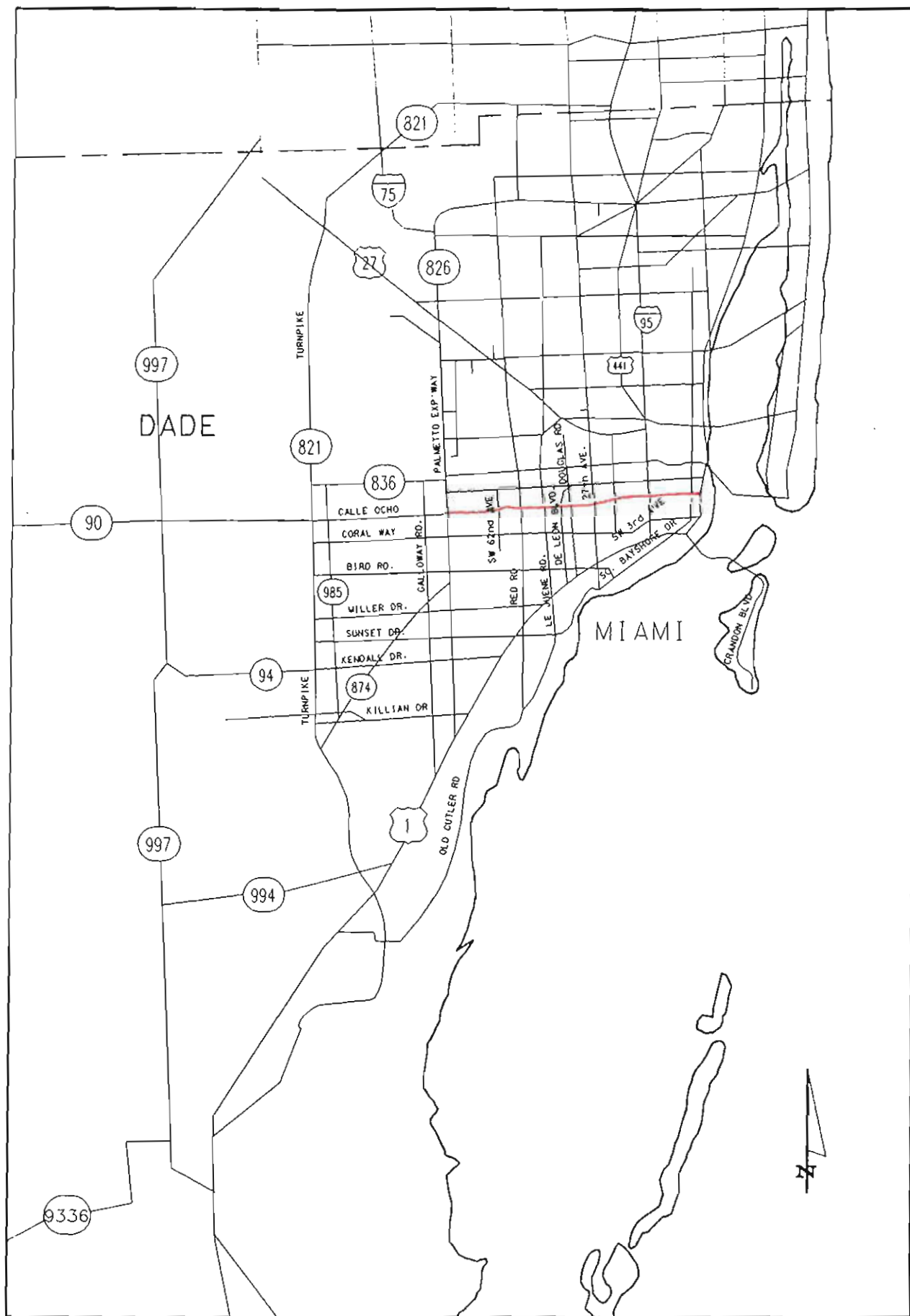
Old Apopka Road Historic Roadway
Chapter 91-320, Laws of Florida(1991)

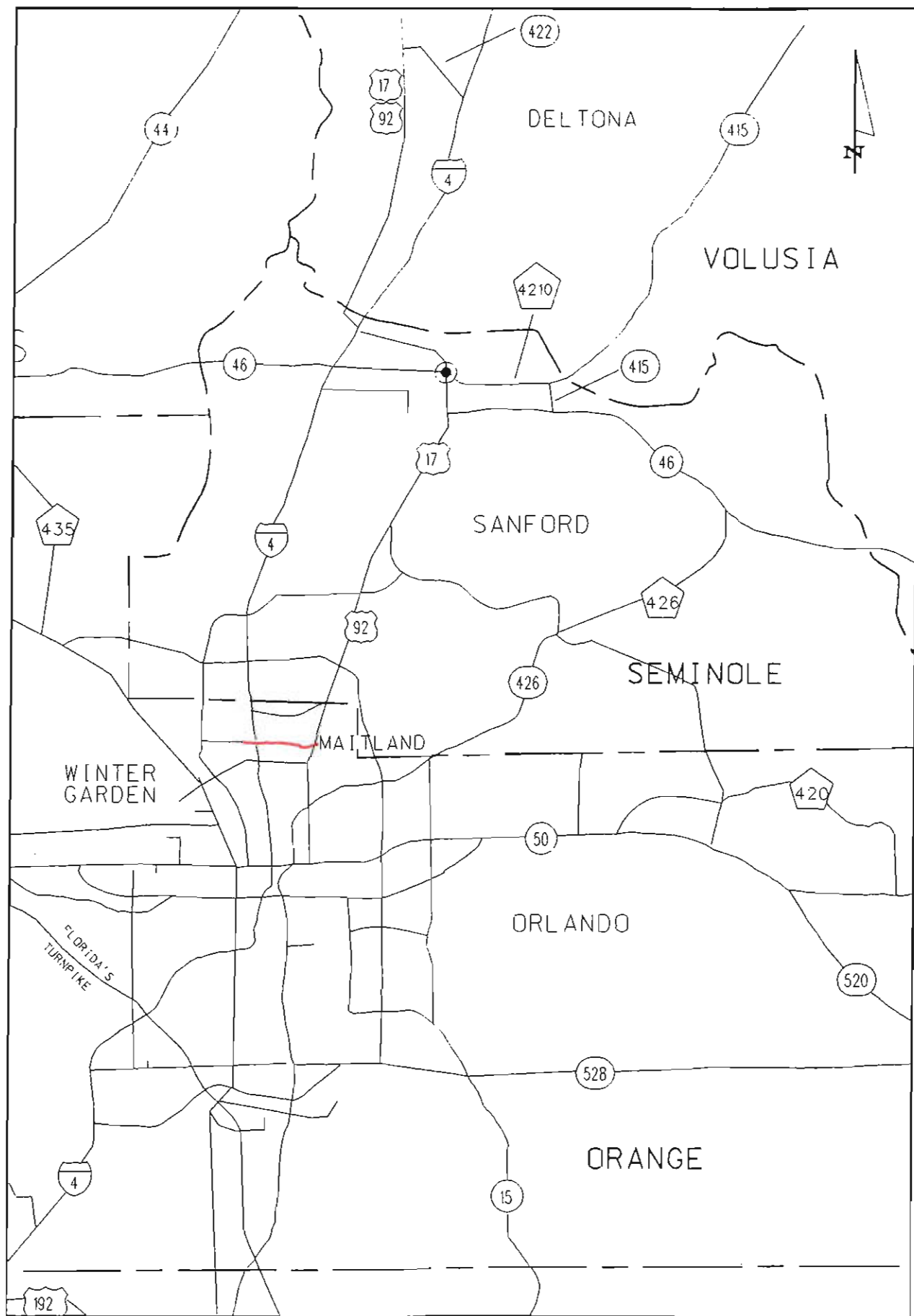
Location

"... Section 1. That portion of roadway consisting of portions of Kennedy Boulevard and Lake Avenue in Eatonville and Maitland, respectively, in Orange County, which runs from 17-92 at Lake Avenue in Maitland west through Eatonville's Kennedy Boulevard and ends at the west side of the Catalina Park intersection, is hereby designated as the "Old Apopka Road Historic Roadway" and a state historic highway."

Restrictions

"Section 2. The Division of Historic Resources of the Department of State shall provide for the erection of suitable markers on and along the Old Apopka Road Historic Roadway in Orange County. ..."





Calle Ocho State Historic Highway
Chapter 86-308, Laws of Florida(1986)

Location

"... (1) Calle Ocho (Eighth Street) means those portions of Calle Ocho located between Brickell Avenue and the Palmetto Expressway (Southwest 74th Avenue) in Dade County."

Restrictions

"... Section 2. Calle Ocho is hereby designated as a state historic highway. No state funds shall be expended by any public body or agency for any of the following purposes:

(1) To cut or remove any tree having a diameter at its thickest part in excess of 6 inches within 35 feet of either side of the paved surface of Calle Ocho, or to engage in an activity which requires the removal without replacement of such a tree.

(2) To alter the physical dimensions or location of Calle Ocho, except for the addition of primary or secondary roads intersecting the limits of Calle Ocho.

(3) To erect, demolish, or significantly alter the appearance of any structure, including, but not limited to, walls, fences, sidewalks, and curbing, within 100 feet of either side of the paved surface of Calle Ocho, with the following exceptions:

(a) Bicycle paths and recreational facilities, the construction of which does not require the removal of any structure deemed worthy of preservation by the division. The division shall be consulted and official approval of the division obtained before any work is begun.

(b) Erections, demolitions, alterations, and restorations undertaken for the purpose of preserving or enhancing the historic or scenic value of Calle Ocho and its surroundings. The division shall be consulted and official approval of the division obtained before any work is begun.

Nothing in this section shall be construed to prevent the ordinary maintenance and repair of Calle Ocho or structures adjacent thereto, provided the physical dimensions and location of Calle Ocho and the appearance of any such structure are preserved, nor to prevent any work that is necessary for the public health or safety as determined by the agency and local government having jurisdiction over the portion of Calle Ocho involved. However, the preservation of Calle Ocho shall take priority over considerations of traffic management, and the public safety shall not be construed to require alterations in Calle Ocho when alternative means of promoting safety, including more restrictive traffic regulations, are available.

Section 3. No signs may be erected within 300 feet of either side of the paved surface of Calle Ocho, except the following:

(1) Official road signs, including traffic control devices, erected by the Department of Transportation or by the city or county having jurisdiction over the portion of Calle Ocho

involved.

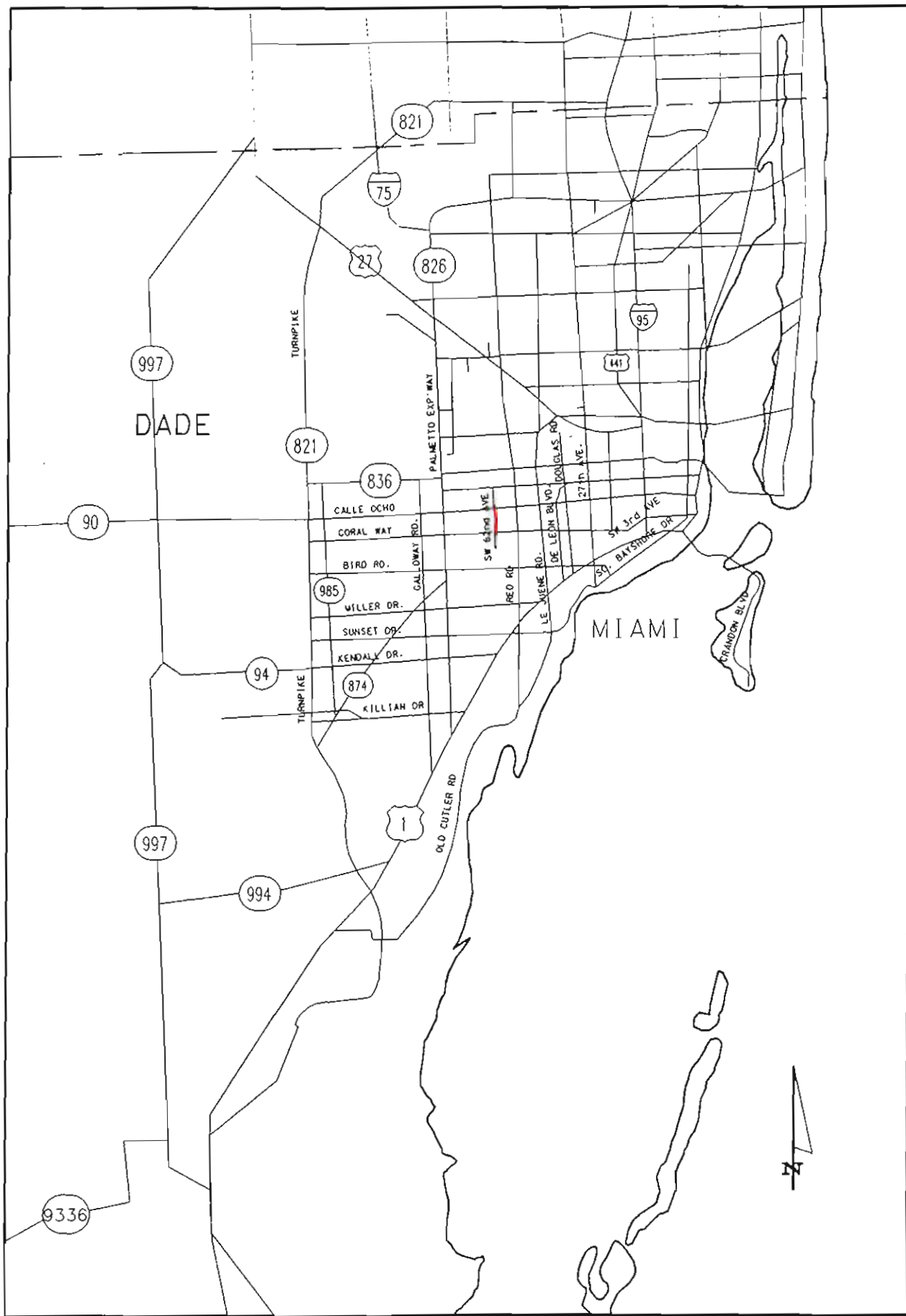
- (2) Signs not visible from Calle Ocho.
- (3) Markers indicating points of historical interest erected or approved by the division.
- (4) Signs that do not exceed 6 square feet in area advertising the sale or lease of the property upon which they are located.
- (5) Signs advertising only the name or nature of the business being conducted upon, or the products, facilities, goods, or services being sold, supplied, or distributed upon or from, the premises where the signs are located.
- (6) Signs which are not of a permanent nature.
- (7) Billboards in place on the effective date of this act.

The provisions of this section shall not supersede a more restrictive law, ordinance, or regulation already in effect or taking effect after the effective date of this act, nor prevent the private sector from remodeling, rebuilding, and demolishing structures as it becomes necessary for the improvement and beautification of such properties.

Section 4. The division is authorized to obtain, by purchase, gift, or devise, historic easements in property situated along Calle Ocho, whenever and to whatever extent that the division may determine appropriate, for the preservation of Calle Ocho or any structure of historic significance along Calle Ocho. To be considered worthy of protection by the division, property or the protected part thereof need not be of great historic, architectural, archaeological, or cultural significance when considered by itself, provided that it makes a significant contribution to the area considered as a whole. Any restriction placed on the use of property situated along Calle Ocho pursuant to this section shall be reported by the division to the tax assessor of Dade County and shall be taken into consideration when the property is assessed for tax purposes.

Section 5. The division shall provide for the erection of suitable markers on and along Calle Ocho.

Section 6. Prior to approving any alterations of Calle Ocho the division shall advertise and hold a public hearing and shall notify all affected businesses, property owners of record, and those known associations representing residents, property owners, and merchants. Additionally, the Department of Transportation shall consult with these associations representing affected persons before making any alterations. ..."



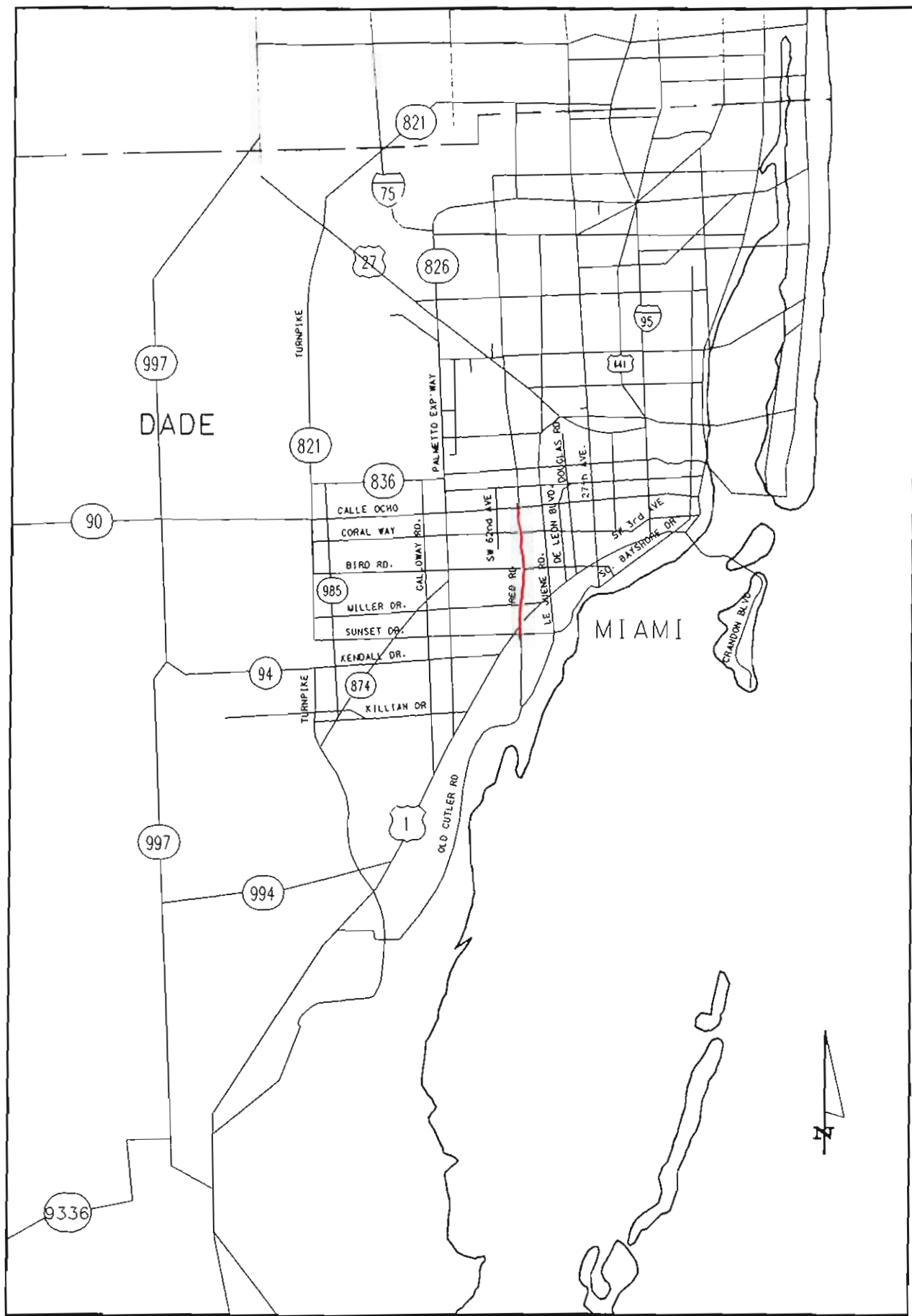
Southwest 62nd Avenue State Historic Highway
Chapter 93-294, Laws of Florida(1993)

Location

"Section 2. The portion of S.W. 62nd Avenue between S.W. 8th Street and Coral Way (S.W. 24th Street) is designated an historic highway."

Restrictions

"This portion of road may not be widened without the approval of the City Commission of the City of West Miami. The Department of State is directed to erect suitable markers designating this portion of road an historic highway. ..."



Red Road State Historic Highway
Chapter 89-383, Laws of Florida(1989)

Location

"... Section 1. . . . that road which forms the eastern boundary of the Coral Gables Western Section, which includes the entranceway to the Central Miami Subdivision with the Coral Gables Waterway as its centerpiece and which begins at S.W. 8th Street in Miami and runs to S.W. 72nd Street."

Restrictions

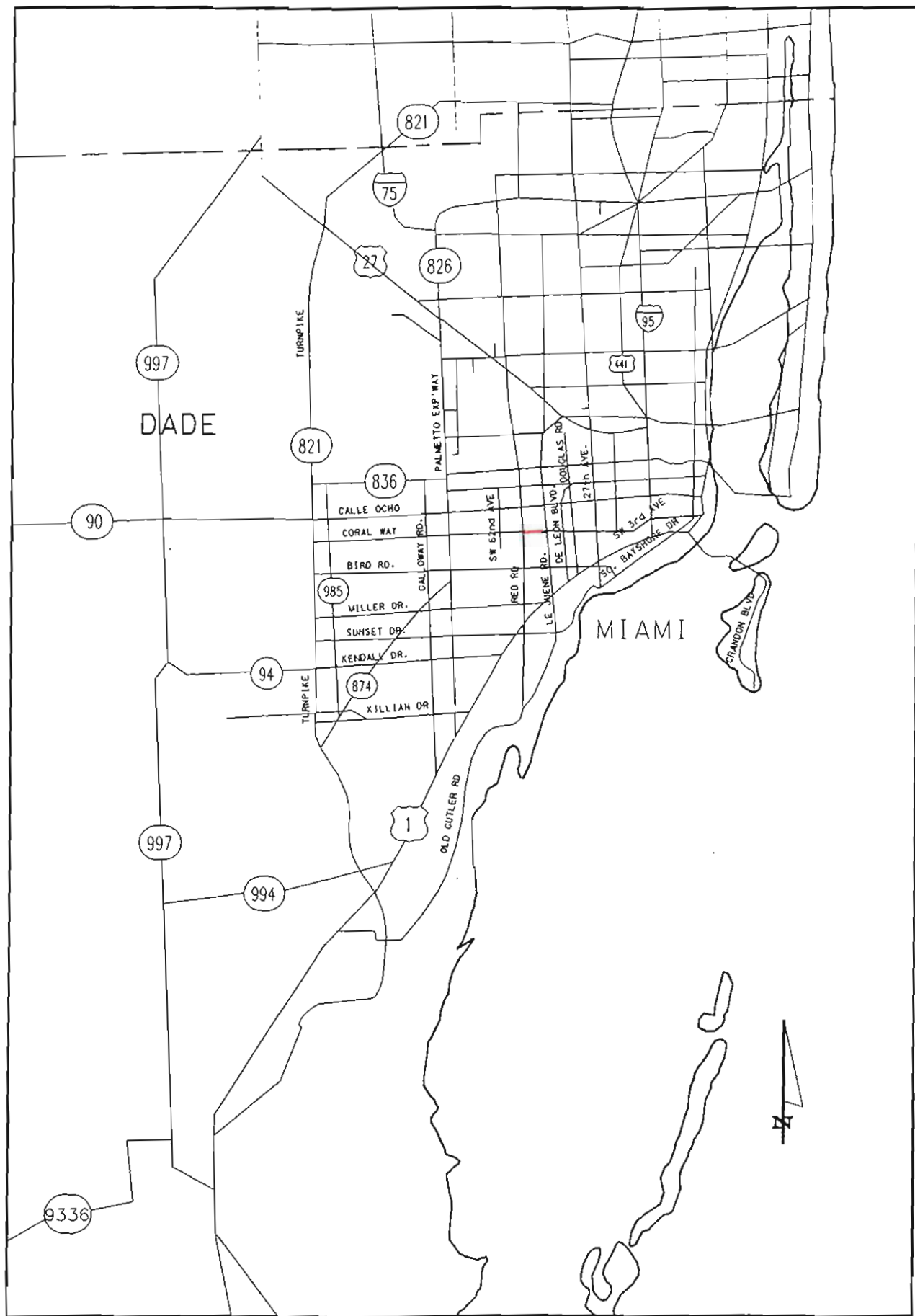
"Section 2. Red Road is hereby designated as a state historic highway. No public funds shall be expended for:

- (1) The removal of any healthy tree which is not a safety hazard.
- (2) Any alteration of the physical dimensions or location of Red Road, the median strip thereof, the land adjacent thereto, or any part of the original composition of the entranceway, including the towers, the walls, and the lampposts.
- (3) Any construction on or along Red Road of any new structure, or any building, clearing, filling, or excavating on or along Red Road except for routine maintenance work which is essential to the health, safety, or welfare of the environment.

Section 3. Prior to performing any work claimed to be essential to the health, safety, or welfare of the environment, including the removal of any healthy tree, Dade County shall hold an advertised public meeting to present the findings of fact necessitating such work.

Section 4. The provisions of this act shall not supersede a more restrictive law, ordinance, or regulation already in effect or taking effect after the effective date of this act.

Section 5. The Division of Historical Resources of the Department of State shall provide for the erection of suitable markers on and along Red Road. ..."



Coral Way Historic Canopied Roadway
Chapter 76-304, Laws of Florida(1976)

Location

"Section 1. (1) . . . that portion of Coral Way in Coral Gables, Florida, which lies between LeJeune Road (S.W. 42nd Avenue) on the east and Red Road (S.W. 57th Avenue) on the west. ..."

Restrictions

"That portion of Coral Way described in Section 1 as a "roadway" is hereby designated as a historic canopied roadway. No state funds shall be expended by any public body or agency for any of the following purposes:

- (1) To cut or remove any tree having a diameter at its thickest part in excess of 6 inches within 35 feet of either side of the paved surface of the roadway, or to engage in an activity which requires the removal without replacement of such a tree.
- (2) To alter the physical dimensions or location of the roadway except for the addition of primary or secondary roads intersecting the limits of Coral Way.
- (3) To erect, demolish, or significantly alter the appearance of any structure, including, but not limited to, walls, fences, sidewalks, and curbing, within 100 feet of either side of the paved surface of the roadway, provided that:
 - (a) Erections, demolitions, alterations, and restorations undertaken for the purpose of preserving or enhancing the historic or scenic value of the roadway and its surroundings may be permitted. The division shall be consulted and official approval obtained before any work is begun.
 - (b) Nothing in this section shall be construed to prevent the ordinary maintenance and repair of the roadway or structures, provided the physical dimensions and location of the roadway and the appearance of any structure are preserved, nor to prevent any work that is necessary for the public health or safety as determined by the agency having jurisdiction over the portion of the roadway shall take priority over considerations of traffic management, and the public safety shall not be construed to require alterations in the roadway when alternative means of promoting safety, including more restrictive traffic regulations, are available.

Section 3. No signs may be erected with[in] 300 feet of either side of the paved surface of the roadway, except the following:

- (1) Official road signs, including traffic control devices, erected by the Department of Transportation or by the city or county having jurisdiction over the portion of the roadway involved.
- (2) Signs not visible from the roadway.

(3) Markers indicating points of historical interest erected or approved by the division.

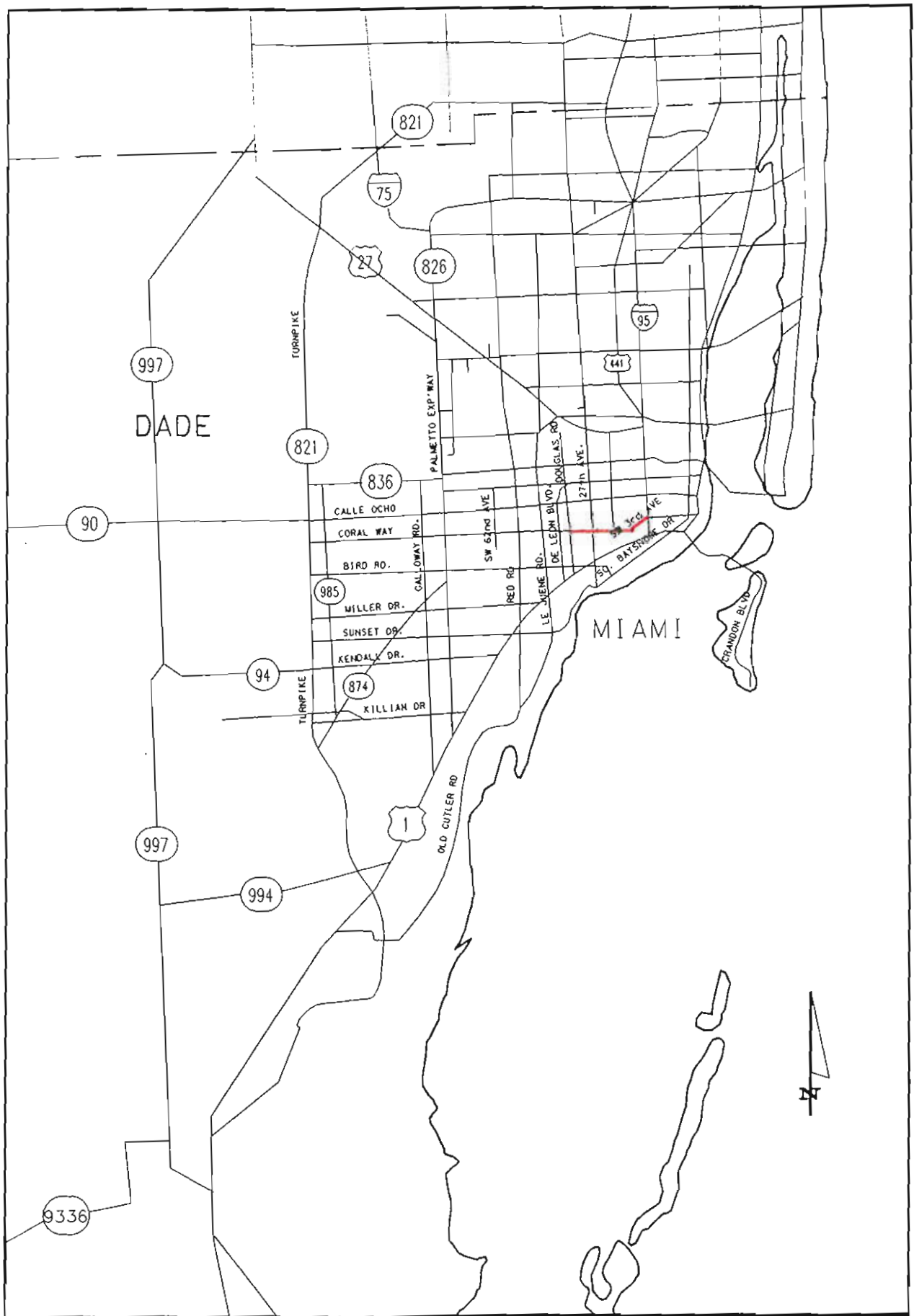
(4) Signs that do not exceed 6 square feet in area advertising the sale or lease of the property upon which they are located.

(5) Signs advertising only the name or nature of the business being conducted upon, or the products, facilities, goods, or services being sold, supplied, or distributed upon, or from the premises where the signs are located, if such signs do not exceed a total of 30 square feet in area for any one business.

The provisions of this section shall not supersede a more restrictive law, ordinance or rule already in effect or taking effect after this act.

Section 4. The division is authorized to obtain by purchase, gift, or devise historic easements in property situated along the roadway whenever, and to such extent that, the division may determine it appropriate for the preservation of the roadway or of any structure of historic significance along the roadway. To be considered worthy of protection by the division, property or the protected part thereof need not be of great historic significance when considered by itself, provided that it makes a significant contribution to the area considered as a whole. Any restrictions placed on the use of property situated along the roadway pursuant to this section shall be reported by the division to the property appraiser of Dade County and shall be taken into consideration when the property is appraised for tax purposes.

Section 5. The division shall provide for the erection of suitable markers on and along the road. ..."



D6-5

Coral Way and 3rd Avenue State Historic Highway
Chapter 84-379, Laws of Florida(1984)

Location

“Section 1. ... “Coral Way” means those portions of Coral Way and 3rd Avenue located between SW 37th Avenue and Interstate 95, in Dade County.”

Restrictions

“Section 2. Coral Way is hereby designated as a state historic highway. No state funds shall be expended by any public body or agency for any of the following purposes:

(1) To cut or remove any trees having a diameter at its thickest part in excess of 6 inches within 35 feet of either side of the paved surface or the median of Coral Way, or to engage in an activity which requires the removal without replacement of such a tree;

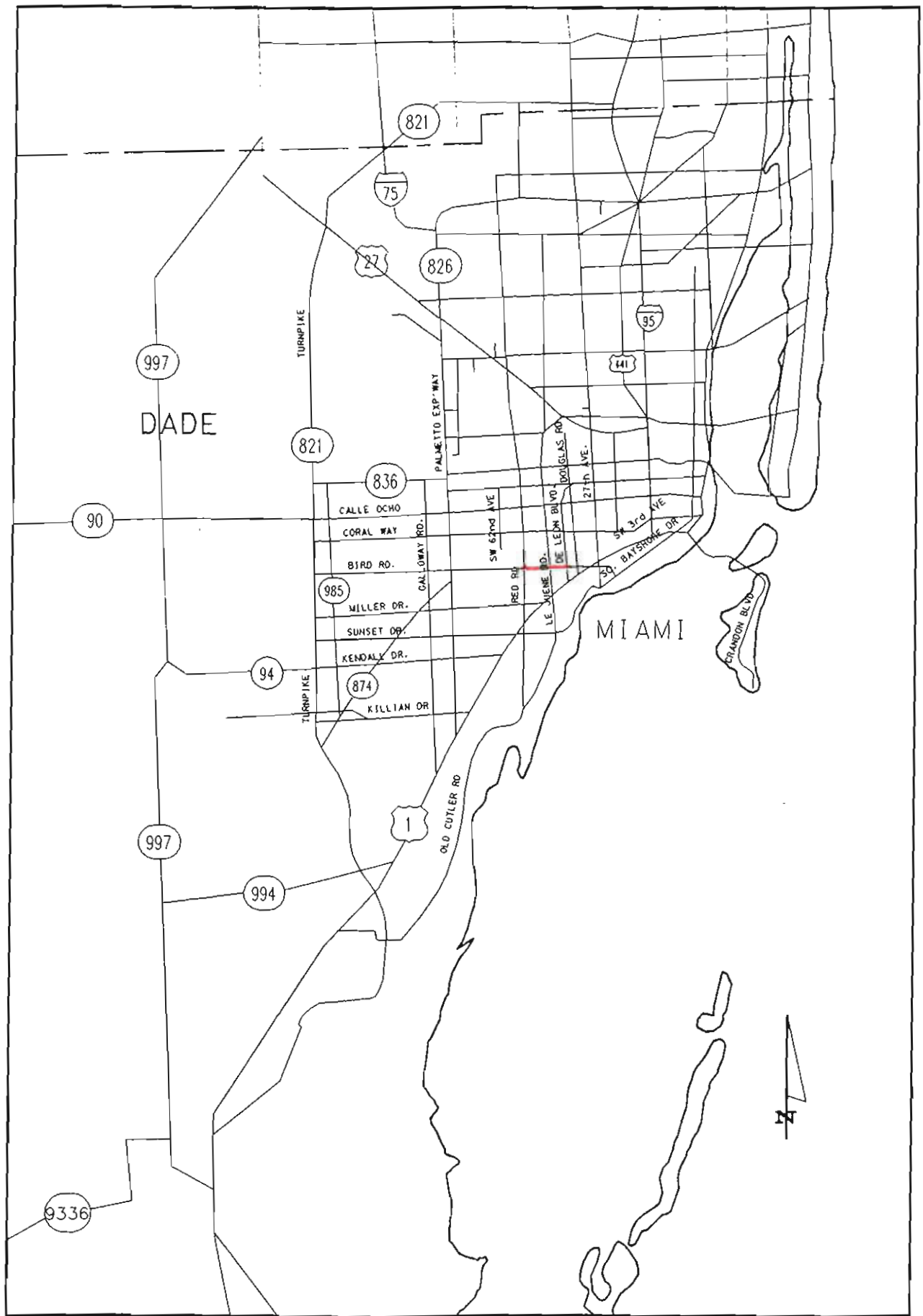
(2) To alter the physical dimensions or location of Coral Way except for the addition of primary or secondary roads intersecting the limits of Coral Way.

Nothing in this act shall be construed to prevent the ordinary maintenance and repair of Coral Way, provided the physical dimensions and location of Coral Way are preserved, nor to prevent any work that is necessary for the public health or safety as determined by the agency having jurisdiction over the portion of Coral Way involved. The term "ordinary maintenance" means those activities necessary to preserve the existing traffic patterns including left turn lanes and median crossings and to accommodate the volume of traffic operating on Coral Way on the effective date of this act. However, the preservation of Coral Way and the median landscaping take priority over considerations of traffic management, and the public safety shall not be construed to require alterations in Coral Way or the median landscaping when alternative means of promoting safety, including more restrictive traffic regulations, are available.

Section 3. Prior to the performance of any work necessary for the public health or safety that requires removal in its entirety of any tree within the median of Coral Way, the agency having jurisdiction over the portion of Coral Way involved shall hold an advertised public meeting to present findings of fact necessitating said work and removal of trees.

Section 4. The provisions of this act shall not supersede a more restrictive law, ordinance, or regulation already in effect or taking effect after the effective date of this act.

Section 5. The Division of Archives, History, and Records Management of the Department of State shall provide for the erection of suitable markers on and along Coral Way. ..."



Bird Road State Historic Highway
Chapter 80-433, Laws of Florida(1980)

Location

“Section 1. Bird Road between Red Road and Ponce de Leon Boulevard in Coral Gables, Dade County, is hereby designated as a state historic highway”

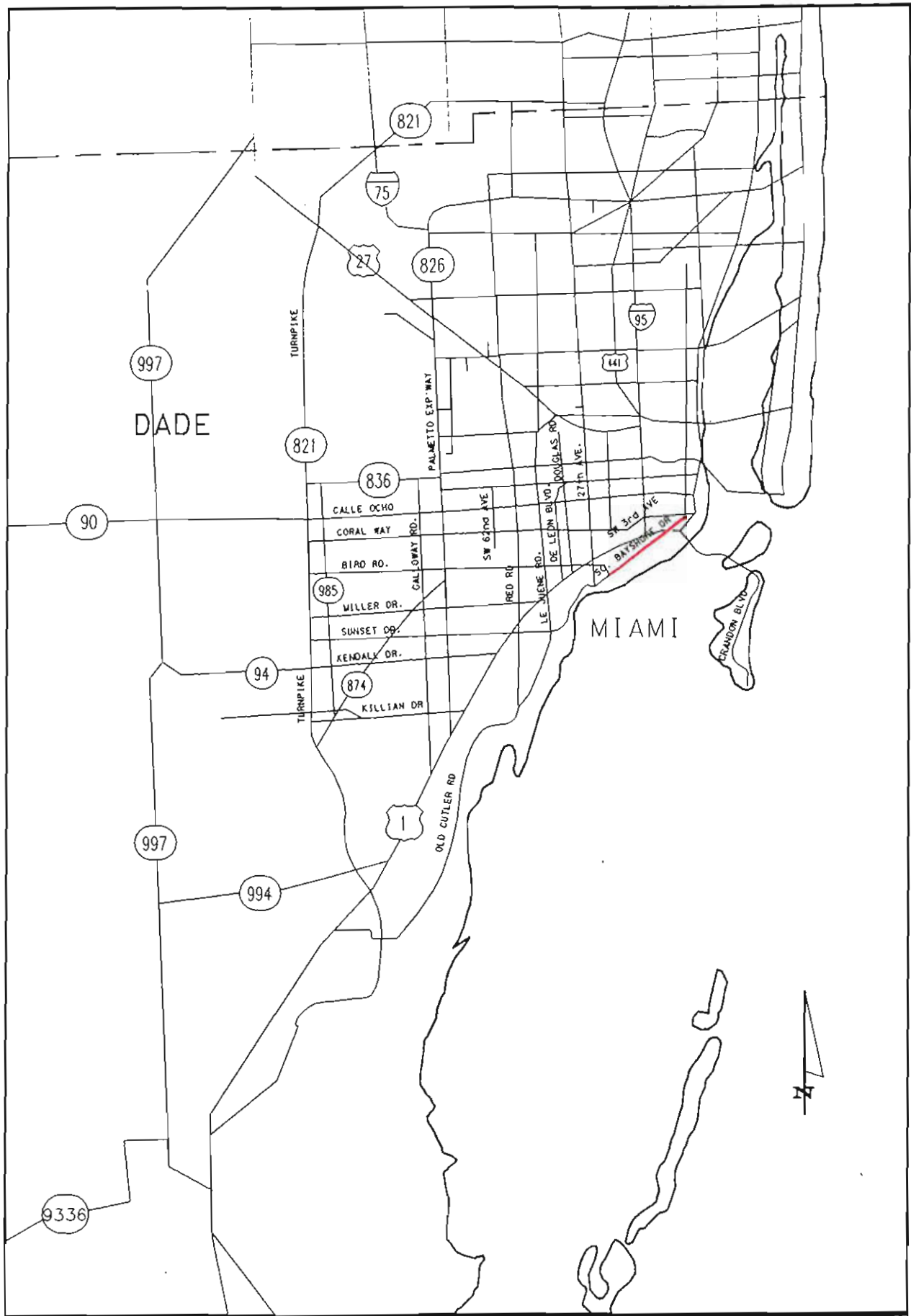
Restrictions

“No state funds shall be expended nor shall the use of any federal funds be approved by any public body or agency to significantly alter the physical dimensions, location or appearance of Bird Road between Red Road and Ponce de Leon Boulevard, or to erect, demolish or significantly alter the appearance of any structure thereto, with the exception of erection, demolitions, alterations and restorations undertaken for the purpose of preserving or enhancing the historic or scenic value of the road and its surroundings. The Division of Archives, History and Records Management of the Department of State shall be consulted and official approval obtained before any work is begun. Nothing in this section shall be construed to prevent the ordinary maintenance and repair of physical dimensions of the road or structures appurtenant thereto, provided that the physical dimensions and location of the road and the appearance of any landscaping or structure appurtenant thereto are preserved, nor to prevent any work that is necessary for the preservation of public safety as determined by the agency having jurisdiction over the portion of the road involved. However, the preservation of the road and its surroundings shall take priority over considerations of traffic management and "the preservation of public safety" shall not be construed to require alterations in the road when any alternative means of promoting safety, including more restrictive regulations are available.

Notwithstanding any other provisions of this section, the agency having jurisdiction over the road may make improvements to the bridge on Bird Road crossing the Coral Gables Canal and intersections on either end of the bridge necessary to facilitate vehicle traffic flow and turning movements, provided that such improvements shall include bicycle and pedestrian pathways. The total clear bridge width of such improvements available for vehicle, bicycle, and pedestrian traffic including traffic separators shall not exceed 85 feet in width.

Section 2. The Division of Archives, History and Records Management of the Department of State may provide for the erection of suitable markers along the road.

Section 3. The Division of Archives, History and Records Management shall be consulted and official approval obtained prior to the approval of plans for the construction of walkways and bicycle paths on either side of the Bird Road Bridge in order to promote public safety and facilitate enjoyment of this scenic and historic area. ...”



South Bayshore Drive and South Miami Avenue State Historic Highway
Chapter 77-491, Laws of Florida(1977)

Location

"(1) . . . that portion of South Bayshore Drive which extends northerly from Aviation Avenue to Halissee Street and the adjoining portion of South Miami Avenue which extends northerly from Halissee Street to Simpson Park at Southeast 15th Road, in the City of Miami, Florida."

Restrictions

"Section 2. Those portions of South Bayshore Drive and South Miami Avenue, described herein, are hereby designated as a state historic highway. No state funds shall be expended by any public body or agency for any of the following purposes:

(1) To cut or remove any tree having a diameter at its thickest part in excess of six inches within thirty-five feet of either side of the paved surface of the road, or to engage in an activity which requires the removal without replacement of such a tree;

(2) To alter the physical dimensions or location of the road;

(3) To excavate or demolish the prominent outcroppings of the Silver Bluffs;

(4) To erect, demolish or significantly alter the appearance of any structure, including but not limited to, walls, fences, sidewalks, and curbing, within one hundred feet of either side of the paved surface of the road, with the following exceptions:

(a) Bicycle paths and recreational facilities the construction of which does not require the removal of any structure deemed worthy of preservation by the Division. The Division shall be consulted and official approval obtained before any work is begun. Nothing in this section shall be construed to prevent the ordinary maintenance and repair of the road or structures, provided the physical dimensions and location of the road or structures and the appearance of any structure are preserved, nor to prevent any work that is necessary for the public health or safety as determined by the agency having jurisdiction over the portion of the road involved. However, the preservation of the road shall take priority over considerations of traffic management, and the public safety shall not be construed to require alterations in the road when alternative means of promoting safety, including more restrictive traffic regulations, are available.

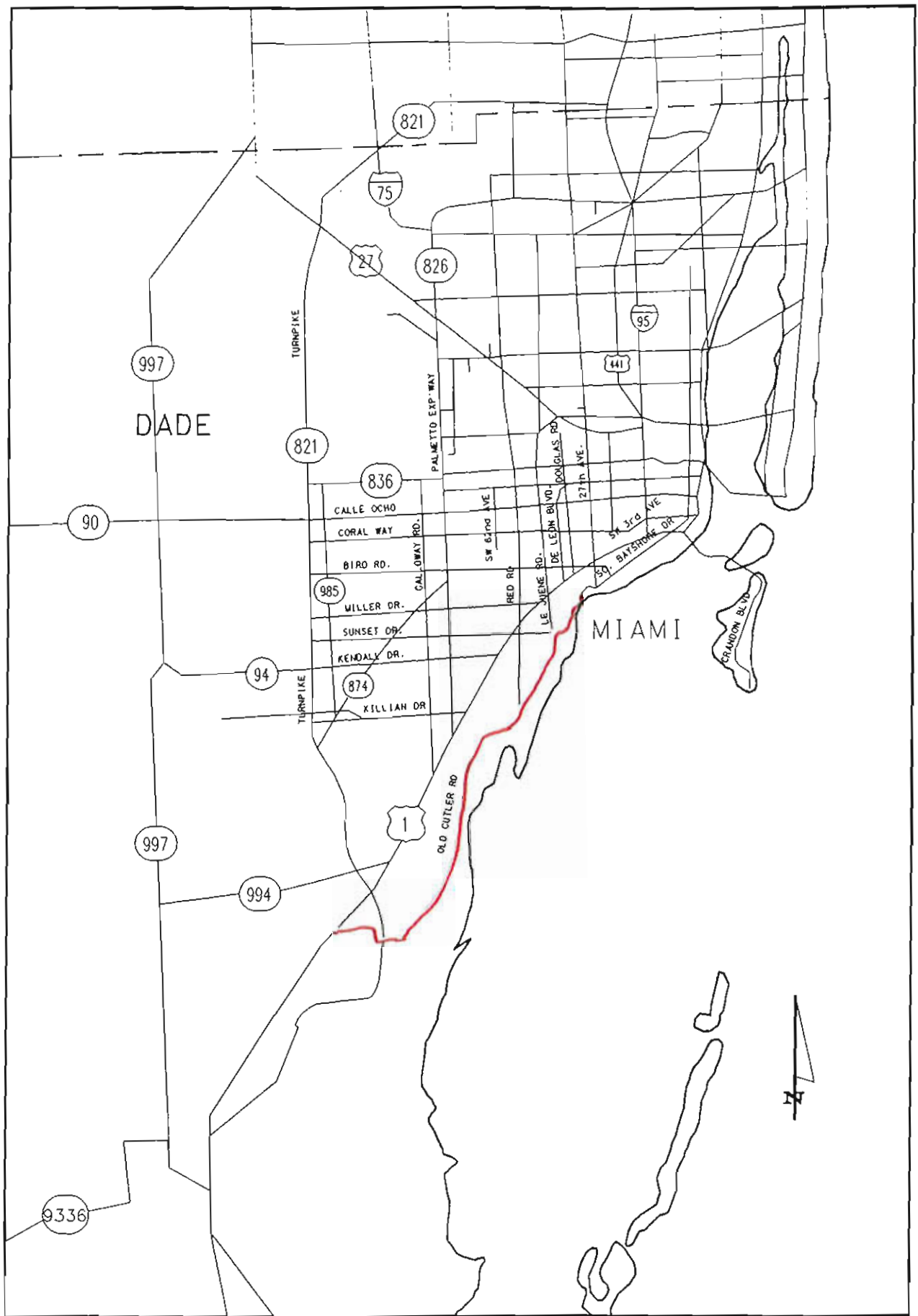
Section 3. No signs may be erected within three hundred feet of either side of the paved surface of the road, except the following:

(1) Official road signs, including traffic control devices, erected by the Department of Transportation or by the City or County having jurisdiction over the portion of the road involved:

- (2) Signs not visible from the road;
- (3) Markers indicating points of historical interest erected or approved by the Division;
- (4) Signs that do not exceed six square feet in area advertising the sale or lease of the property on which they are located; or
- (5) Signs advertising only the name or nature of the business being conducted upon or the products, facilities, goods or services being sold, supplied, or distributed upon or from the premises where the signs are located, if such signs do not exceed a total of thirty square feet in area for any one business. The provisions of this section shall not supersede a more restrictive law, ordinance or regulation already in effect or taking effect after this act.

Section 4. The Division is authorized to obtain by purchase, gift, or devise historic easements in property situated along the road whenever and to such extent that the Division may determine appropriate for the preservation of the road or of any structure of historic significance along the road. To be considered worthy of protection by the Division, property or the protected part thereof need not be of great historic, architectural, archeological, geological or cultural significance when considered by itself, provided that it makes a significant contribution to the area considered as a whole. Any restriction placed on the use of property situated along the road pursuant to this section shall be reported by the Division to the tax assessor of Dade County and shall be taken into consideration when the property is assessed for tax purposes.

Section 5. The Division shall provide for the erection of suitable markers on and along the road. ...”



Old Cutler Road State Historic Highway
Chapter 74-400, Laws of Florida(1974)

Location

"(1) ... which extends from Sunset Drive in the City of Coral Gables to U.S. Highway 1 near the Town of Goulds, the portion which overlaps LeJeune Road in the City of Coral Gables, the portion now known as Ingraham Highway in the City of Coral Gables and Coconut Grove, the portion which overlaps Douglas Road in Coconut Grove and the portion now known as Main Highway in Coconut Grove as far north and east as Franklin Avenue.

Restrictions

Section 2. Old Cutler Road is hereby designated as a state historic highway. No state funds shall be expended by any public body or agency for any of the following purposes:

(1) To cut or remove any tree having a diameter at its thickest part in excess of six inches within thirty-five feet of either side of the paved surface of the road, or to engage in an activity which requires the removal without replacement of such a tree;

(2) To alter the physical dimensions or location of the road except for the addition of primary or secondary roads intersecting the limits of Old Cutler Road;

(3) To erect, demolish or significantly alter the appearance of any structure, including but not limited to, walls, fences, sidewalks and curbing, within one hundred feet of either side of the paved surface of the road, with the following exceptions:

(a) Bicycle paths and recreational facilities the construction of which does not require the removal of any structure deemed worthy of preservation by the division. The division shall be consulted and official approval obtained before any work is begun.

(b) Erections, demolitions, alterations and restorations undertaken for the purpose of preserving or enhancing the historic or scenic value of the road and its surroundings. The division shall be consulted and official obtained before any work is begun.

Nothing in this section shall be construed to prevent the ordinary maintenance and repair of the road or structures, provided the physical dimensions and location of the road and the appearance of any structure are preserved, nor to prevent any work that is necessary for the public health or safety as determined by the agency having jurisdiction over the portion of the road involved. However, the preservation of the road shall take priority over considerations of traffic management, and the public safety shall not be construed to require alterations in the road when alternative means of promoting safety, including more restrictive traffic regulations, are available.

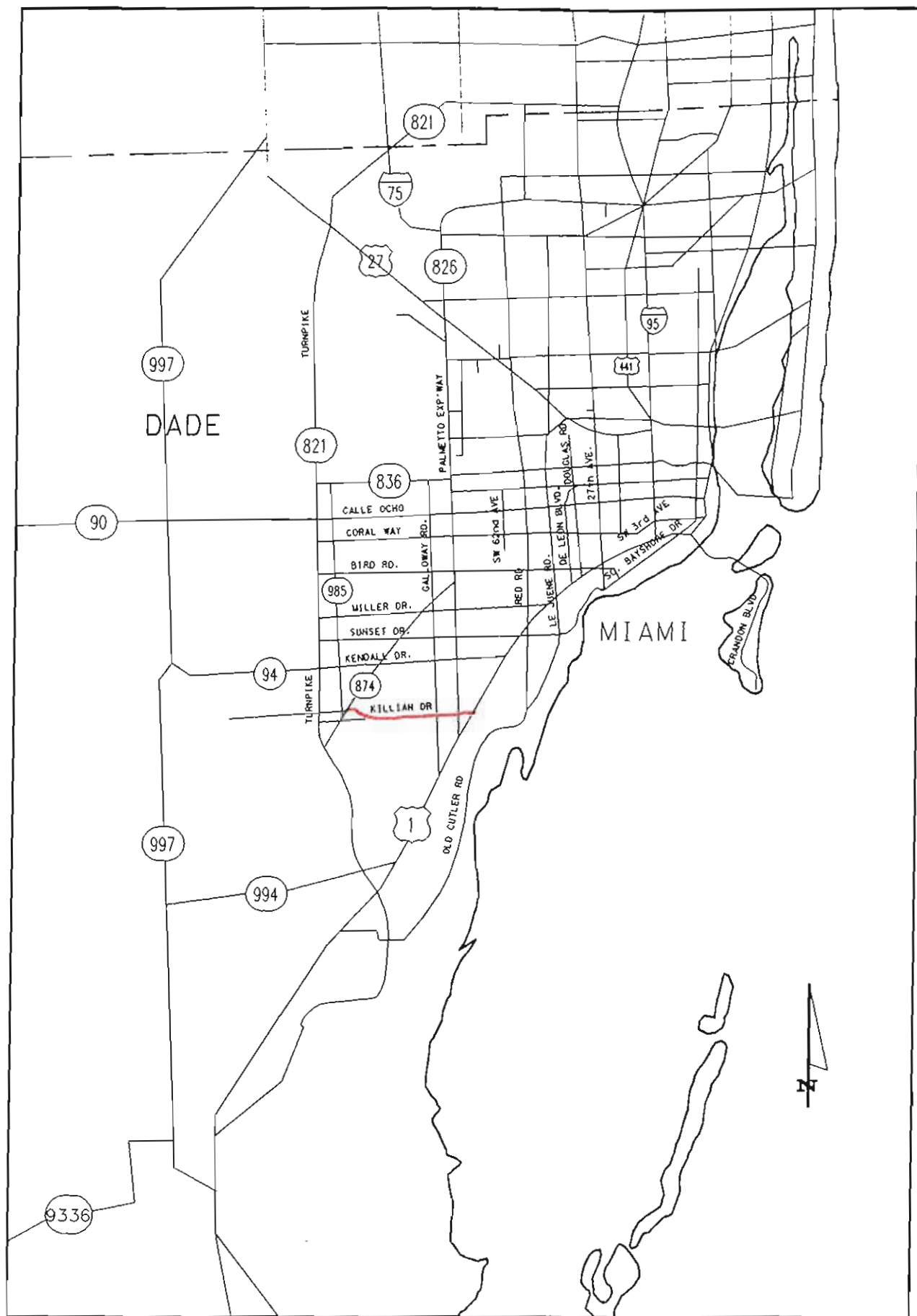
Section 3. No signs may be erected within three hundred feet of either side of the paved surface of the road, except the following:

- (1) Official road signs, including traffic control devices, erected by the department of transportation or by the city or county having jurisdiction over the portion of the road involved;
- (2) Signs not visible from the road;
- (3) Markers indicating points of historical interest erected or approved by the division;
- (4) Signs that do not exceed six square feet in area advertising the sale or lease of the property upon which they are located; or
- (5) Signs advertising only the name or nature of the business being conducted upon which or the products, facilities, goods or services being sold, supplied, or distributed upon or from the premises where the signs are located, if such signs do not exceed a total of thirty square feet in area for any one business.

The provisions of this section shall not supersede a more restrictive law, ordinance or regulation already in effect or taking effect after this act."

Section 4. The Division is authorized to obtain by purchase, gift, or devise historic easements in property situated along the road whenever and to such extent that the Division may determine appropriate for the preservation of the road or of any structure of historic significance along the road. To be considered worthy of protection by the division, property or the protected part thereof need not be of great historic, architectural, archeological, or cultural significance when considered by itself, provided that it makes a significant contribution to the area considered as a whole. Any restriction placed on the use of property situated along the road pursuant to this section shall be reported by the division to the tax assessor of Dade County and shall be taken into consideration when the property is assessed for tax purposes.

Section 5. The division shall provide for the erection of suitable markers on and along the road. ..."



Killian Drive State Historic Highway
Chapter 95-434, Laws of Florida(1995)

Location

"Section 1. The portions of State Road 990 section 87064 - milepost 0.187 (S.R. 874) to section 87046 - milepost 2.917 (U.S. 1) is designated as a state historic highway."

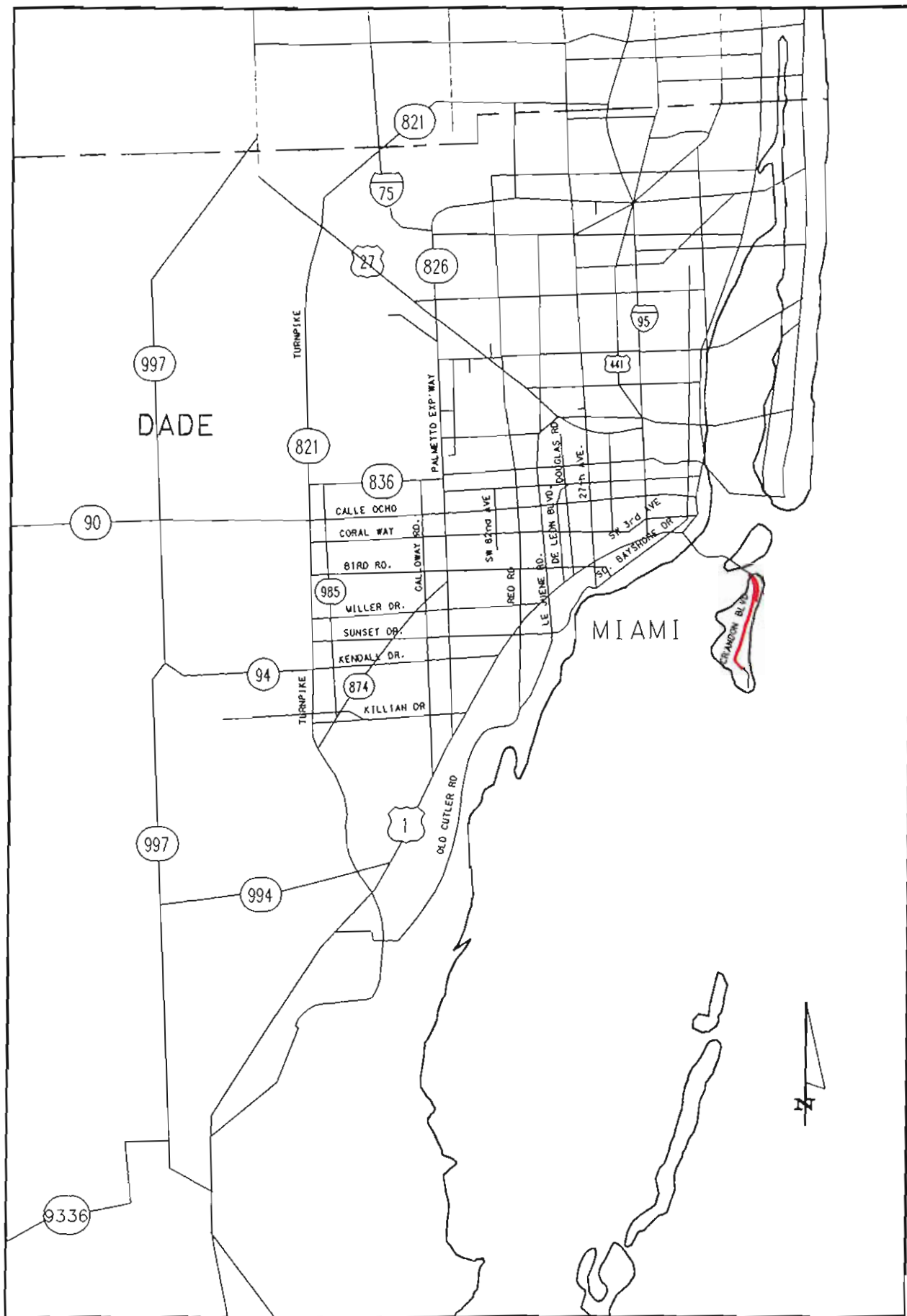
Restrictions

"Section 2. No state, county, city, or local funds shall be expended, nor shall the use of any Federal funds be approved by any public body or agency to alter the physical dimensions, location, or appearance of Killian Drive from U.S. 1 to State Road 874 or to erect, demolish, or alter the appearance of any structure thereto, with the exception of erections, demolitions, alterations, and restorations undertaken for the purpose of preserving or enhancing the historic or scenic value of the drive and its surroundings. The Bureau of Historic Preservation of the Division of Historical Resources of the Department of State shall be consulted and official approval obtained before any work is begun. Nothing in this section shall be construed to prevent the ordinary maintenance and repair of the drive or structures appurtenant thereto, provided that the physical dimensions and location of the drive and the appearance of any landscaping or structure appurtenant thereto are preserved, nor to prevent any work that is necessary for the preservation of public safety as determined by the agency having jurisdiction over the portion of the Drive involved. However, the preservation of the drive and its surroundings shall take priority over considerations of traffic management, and "the preservation of public safety" shall not be construed to require alterations in the road when any alternative means of promoting safety, including more restrictive regulations, are available.

Section 3. Prior to the performance of any work necessary for the public health or safety that requires removal of any tree on Killian Drive, the involved agency having jurisdiction over that portion of Killian Drive shall hold an advertised public meeting to present findings of fact necessitating said work to the Bureau of Historic Preservation of the Division of Historical Resources of the Department of State which shall make the final determination.

Section 4. It is the intent of the legislature through the adoption of this act to promote the replanting of trees previously removed along Killian Drive. Historical societies and homeowners' associations may petition the Bureau of Historic Preservation of the Division of Historical Resources of the Department of State to replant such trees. As used in this act, replanting shall be liberally construed to mean similar trees in approximate locations.

Section 5. The Bureau of Historic Preservation of the Division of Historical Resources of the Department of State may provide for the erection of suitable markers along the drive.
..."



Crandon Boulevard State Historic Highway
Chapter 88-418, Laws of Florida(1988)

Location

"Section 1. ..."Crandon Boulevard" means that park road and utility corridor serving the Village of Key Biscayne which runs within the boundaries of Crandon Park from Bear Cut Bridge, continuing south beyond the traffic circle through the business district of Key Biscayne to the entrance of Bill Baggs State Park."

Restrictions

"Section 2. Crandon Boulevard is hereby designated as a state historic highway. No public funds shall be expended for:

(1) The trimming or removal of any vegetation, except as follows:

(a) Indigenous species and those naturalized or exotic species of trees and shrubs which are not considered harmful to the health, safety, or welfare of the area environment shall be restricted from removal; provided, however, that limited trimming and, when necessary, removal of plants of any species shall be permitted for specific purposes such as maintenance of utilities or elimination of safety hazards so long as all state, local, and federal regulations are complied with.

(b) Naturalized or exotic species which have been determined to be detrimental to the environment, including, but not limited to, Brazilian pepper, Australian pine, melaleuca, and cane grass, shall not be restricted from removal.

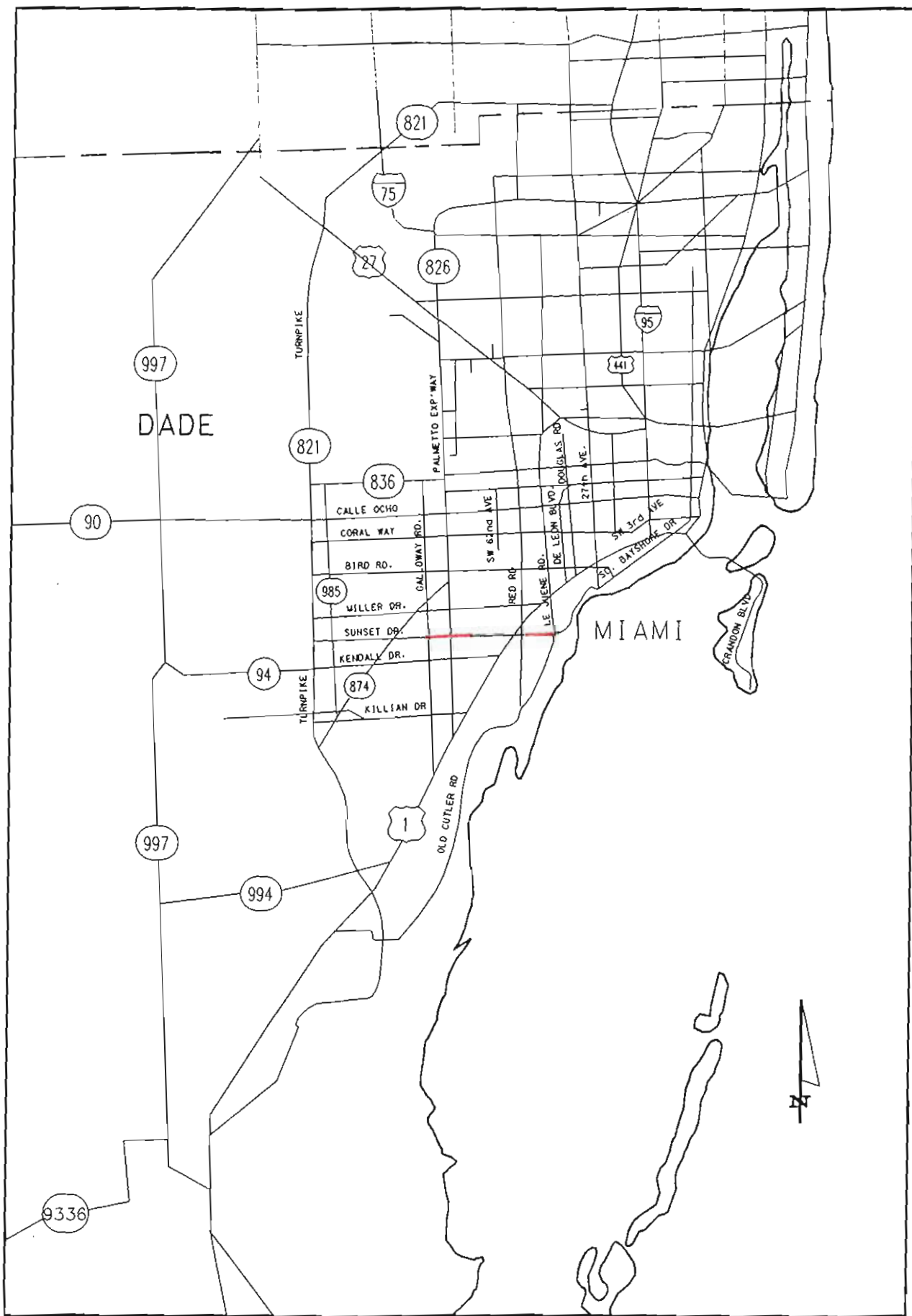
(2) The alteration of the physical dimensions or location of Crandon Boulevard, the median strip thereof, or the land adjacent thereto, except for the routine or emergency utilities maintenance activities necessitated to maintain the road as a utility corridor serving the Village of Key Biscayne.

Section 3. The status of Crandon Boulevard as a park road, in accordance with the intent of the grantors, shall not be changed.

Section 4. Prior to the performance of any work necessary for the health, safety, or welfare of the environment which requires removal in its entirety of any tree within the median of Crandon Boulevard, the county shall hold an advertised public meeting to present the findings of fact necessitating such removal.

Section 5. The provisions of this act shall not supersede a more restrictive law, ordinance, or regulation already in effect or taking effect after the effective date of this act.

Section 6. The Division of Historical Resources of the Department of State shall provide for the erection of suitable markers on and along Crandon Boulevard. ..."



D6-11

Sunset Drive State Historic Highway
Chapter 83-365, Laws of Florida(1983)

Location

"(1) ...those portions of Sunset Drive located between Cartegena Plaza and Southwest 56th Avenue and between Southwest 69th Avenue and Southwest 87th Avenue, otherwise known as Galloway Road, in Dade County."

Restrictions

"Section 2. Sunset Drive is hereby designated as a state historic highway. No state funds shall be expended by any public body or agency for any of the following purposes:

- (1) To cut or remove any tree having a diameter at its thickest part in excess of 6 inches within 35 feet of either side of the paved surface of Sunset Drive, or to engage in an activity which requires the removal without replacement of such a tree;
- (2) To alter the physical dimensions or location of Sunset Drive except for the addition of primary or secondary roads intersecting the limits of Sunset Drive;
- (3) To erect, demolish, or significantly alter the appearance of any structure, including but not limited to, walls, fences, sidewalks, and curbing, within 100 feet of either side of the paved surface of Sunset Drive, with the following exceptions:
 - (a) Bicycle paths and recreational facilities, the construction of which does not require the removal of any structure deemed worthy of preservation by the division. The division shall be consulted and official approval obtained before any work is begun.
 - (b) Erections, demolitions, alterations, and restorations undertaken for the purpose of preserving or enhancing the historic or scenic value of Sunset Drive and its surroundings. The division shall be consulted and official approval obtained before any work is begun.

Nothing in this section shall be construed to prevent the ordinary maintenance and repair of Sunset Drive or structures adjacent thereto, provided the physical dimensions and location of Sunset Drive and the appearance of any such structure are preserved, not to prevent any work that is necessary for the public health or safety as determined by the agency having jurisdiction over the portion of Sunset Drive involved. However, the preservation of Sunset Drive shall take priority over considerations of traffic management, and the public safety shall not be construed to require alterations in Sunset Drive when alternative means of promoting safety, including more restrictive traffic regulations, are available.

Section 3. No signs may be erected within 300 feet of either side of the paved surface of Sunset Drive, except the following:

- (1) Official road signs, including traffic control devices erected by the Department of Transportation or by the city or county having jurisdiction over the portion of Sunset

Drive involved.

- (2) Signs not visible from Sunset Drive;
- (3) Markers indicating points of historical interest erected or approved by the division;
- (4) Signs that do not exceed 6 square feet in area advertising the sale or lease of the property upon which they are located; or
- (5) Signs advertising only the name or nature of the business being conducted upon, or the products, facilities, goods, or services being sold, supplied, or distributed upon or from, the premises where the signs are located, if such signs do not exceed a total of 30 square feet in area for any one business.

The provisions of this section shall not supersede a more restrictive law, ordinance, or regulation already in effect or taking effect after the enactment of this act.

Section 4. The division is authorized to obtain, by purchase, gift, or devise, historic easements in property situated along Sunset Drive, whenever and to whatever extent that the division may determine appropriate, for the preservation of Sunset Drive or of any structure of historic significance along Sunset Drive. To be considered worthy of protection by the division, property or the protected part thereof need not be of great historic, architectural, archeological, or cultural significance when considered by itself, provided that it makes a significant contribution to the area considered as a whole. Any restriction placed on the use of property situated along sunset Drive pursuant to this section shall be reported by the division to the tax assessor of Dade county and shall be taken into consideration when the property is assessed for tax purposes.

Section 5. The division shall provide for the erection of suitable markers on and along Sunset Drive. ...”