

Sec. 10-6.707. Canopy Roads Overlay District.

- (a) *Purpose and intent.* The purpose and intent of the Canopy Roads Overlay District is to ensure the preservation and protection of the canopy road trees on the following roads:
- (1) Meridian Road from its intersection with Seventh Avenue to the state line.
 - (2) Magnolia Drive—Centerville Road—Moccasin Gap Road from their intersection with Seventh Avenue to State Road 59.
 - (3) Miccosukee Road from its intersection with Capital Circle to Moccasin Gap Road.
 - (4) Old St. Augustine Road from its intersection with East Lafayette Street to W.W. Kelley Road.
 - (5) Old Bainbridge Road from its intersection with Raa Avenue to Capital Circle.
 - (6) Sunny Hill Road from its intersection with Thomasville Road to Old Centerville Road.
 - (7) Old Centerville Road from its intersection with Centerville Road to the state line.
 - (8) Pisgah Church Road from Bradfordville Road to the end of the county maintained right-of-way east of Centerville Road.
- (b) *Allowable land use.* The uses permitted in the Canopy Roads Overlay District are those uses permitted in the underlying zoning district.
- (c) *Development standards.* The Canopy Roads Overlay District includes as all lands within 100 feet from the centerlines of the roadways. The following special restrictions shall apply within the Canopy Roads Overlay District:
- (1) All structures, including fences, shall be setback a minimum of 100 feet from the centerline of the canopy road unless there is no reasonable alternative in the case of a vested single-family lot of record. Any disturbance to the overlay shall be minimized to the greatest extent possible, but not cause an unreasonable and undue hardship on the use of the property. A permit may be issued by the county for gates and the repair or maintenance of an existing, lawfully established fence, pursuant to any and all applicable criteria and standards set out in section 10-4.202(a)(2)b.8(j) and (l). Structures are permitted to prevent motorized vehicles from accessing trail approaches.
 - (2) Any structure which exceeds 40 feet in height must be setback an additional one foot for every one foot in excess of 40 feet in height.
 - (3) No development may occur in the canopy road overlay (100 feet from the centerline of the road) unless authorized for health, safety or welfare of the public.
 - (4) Any part of the canopy road overlay that is cleared or has trees removed from it for roadway projects must be widened by the same amount that was disturbed in the same location if possible, or another reasonable location.
 - (5) A full analysis of the impact of a development on the affected canopy road shall be submitted by the applicant at the time of development review.
 - (6) Joint access to canopy roads shall be required for newly created lots unless there is no alternative.
 - (7) If the site is accessible by roads other than the canopy road, it shall not have direct access to the canopy road.

(Code 1992, § 10-6.707; Ord. No. 07-20, § 2, 7-10-2007; Ord. No. 08-25, § 5, 11-25-2008; Ord. No. 09-20, § 4, 7-14-2009; Ord. No. 17-10, § 5, 6-20-2017)