

CHAPTER 1: POLICY

I. Planning Policy Statement

The purpose of this planning policy statement is to:

- **Ensure Consistency.** Promote the legal requirement of reasonableness by avoiding arbitrary decisions and furthering the uniform application of the various planning procedures. The Comprehensive Plan provides specific guidance on the appropriate use and development of remaining property in Genoa Township based on the needs and desires of its residents so that current and future residents of Genoa Township may reasonably rely on the land uses set forth in the Comprehensive Plan for planning and development purposes.
- **Promote Efficiency.** Simplify and detail the preparation of materials for Zoning Commission action through the provision of guidelines and criteria. This will promote expeditious disposition in the interest of both the public and the petitioner.
- **Establish a Public Record.** Provide a clear statement of policies upon which the community may rely.
- **Maintain a Basis of Planning.** Assure the appropriate use of resources. Planning decisions, such as zoning actions, must be founded upon adopted principles and objectives. As a clear planning document, this Comprehensive Plan avoids an arbitrary and capricious action by the Genoa Township Trustees, Zoning Commission or Board of Zoning Appeals.
- **Develop a Planning Method.** Promote the rational utilization of land and the economical provision of required facilities and services both for the individual and the collective public interest. This is accomplished through the allocation of land to a variety of uses based upon desired community objectives and intensity criteria.

II. Policies with General Applicability

- **Total Community Interest.** Planning loses its vitality as well as its credibility if it: (1) becomes a mere composite of neighborhood desires; (2) is abused to advance the interest only of certain individuals or special interest groups; (3) is implemented whimsically or arbitrarily; or (4) becomes unreasonable or confiscatory in its application to private properties.

It is our policy that the general welfare of Genoa Township in its entirety must be served by all planning measures. Therefore, general, as distinguished from individual, interests will be furthered. Specifically, economic benefit to individuals or groups shall be subordinate to the community considerations. Implementation of planning shall not be conducted solely for the purpose of increasing value.

- **Reasons for Actions.** The Zoning Commission and Trustees shall undertake a review of the Comprehensive Plan and Zoning Resolution to ensure that all findings of fact and determinations regarding the appropriateness of development are consistent with these controlling documents. The Zoning Commission and Trustees will be guided by the terms of these documents and must state their reasons for recommendations and actions. During the hearing of variance or conditional use applications the Board of Zoning Appeals may refer to the recommendations and findings of the Comprehensive Plan in considering their decision.

- **By-passed Land.** In order to prevent development inconsistent with the Comprehensive Plan, requests for development must demonstrate to the Zoning Commission that all adjacent land could be developed consistent with existing zoning and/or an approved overall development plan.

- **Checklist Analysis.** A systematic review of applications or amendments that come before the Zoning Commission shall be conducted by answering the following eleven questions. This Plan recommends the checklist be incorporated into the Genoa Township Zoning Resolution, and it should specify that any question may, by itself, substantiate the Zoning Commission's denial of an application for rezoning based on the significance and severity of the concerns raised, regardless of how many other questions are answered in a neutral or positive manner.
 1. Would the proposed development be contrary to the Comprehensive Plan?
 2. Is the development (change) contrary to the established land use pattern?
 3. Would the proposed change create an isolated, incompatible use or zoning district?
 4. Would the proposed change be incompatible with the population density pattern of surrounding area?
 5. Will the proposed development increase the load on public facilities (water, sewers, roadways, schools or other) beyond reasonable limits as determined by the Zoning Commission and/or Board of Trustees, regardless of certification by governmental or other entities as to an ability to satisfy a minimal level of services?
 6. Are the proposed development boundaries logically drawn in relation to existing conditions?
 7. Will the change adversely influence living conditions in the surrounding area?
 - a) Create or appreciably increase traffic congestion;
 - b) Seriously impact adjacent areas by changing the character of the parcel as to be inconsistent with surrounding areas;
 - c) Seriously affect the natural character of the land to the point of creating potential hazards; or
 - d) Interfere with protected species or environmentally sensitive resources (e.g., watershed, streams, ravines or wetlands)
 8. Will approval be a deterrent to the improvement or development of adjacent property in accordance with existing plans and regulations?

9. Will the proposal constitute a grant of a special privilege to a property owner that will not be granted to others at the expense of the general welfare?
10. Are there reasons why the property cannot be used as it is presently planned or zoned?
11. Is the change out of scale with the neighborhood's, area's, or Township's needs and characteristics?

III. Specific Issues

- **Aesthetics or Appearance.** Genoa Township residents have identified the preservation of the rural and natural character of the land as the most desirable aspect of living in Genoa Township and as a high priority concern. As true in 2008 as in 1999, proper care for these two amenities is of economic as well as aesthetic benefit to the citizens, present and future, because it creates a better quality of life. The desire to preserve and protect the area in an attractive manner should continue to be an important determinant for development approaches.
- **Buffering.** Physical separation of different land uses will be required through use of transitional areas, such as open space, fencing, planting areas, setbacks and/or mounding. Although buffering will allow adjacent uses that may vary in density, the buffering of parcels from each other does not, in and of itself, fully mitigate the development of inconsistent adjacent uses.
- **Pedestrian Orientation.** As the Township further develops there is a continuing desire to promote a people-oriented, pedestrian-friendly environment. It is Genoa Township's intention to encourage bicycle and pedestrian linkages whenever and wherever possible. Consistent with the 1999 Comprehensive Plan, the Zoning Resolution requires sidewalks and encourages walking paths to connect neighborhoods. Safe passage of pedestrians from one side of State Route 3 to the other remains a significant concern. Numerous suggestions and the creation of a new traffic light crossing at Mount Royal Avenue have not alleviated these concerns. Any significant development abutting State Route 3 or the Genoa Township Bike Path will be evaluated for the inclusion of a pedestrian crossing between the east and west sides of State Route 3. Development adjacent to these crossing sites and any future passage must be consistent with use by pedestrians and bicyclists and associated users (i.e., families, children, seniors and others).
- **Traffic (Arteries and Access).** The tremendous public investment in traffic-carrying facilities including streets, highways, and expressways must be protected by preventing indiscriminate access, strip development and the creation of large scale non-residential developments designed as regional draws. Development requests must be supported by existing infrastructure. If development cannot be supported by existing infrastructure (all roadways within one mile maintaining a Level of Service of at least C {or if less than C prior to development – at current, pre-development levels} for at least 4 years) the development plan must include planning and coordination with the appropriate roadway authority for the simultaneous improvement of the roadways. In no event may a development plan be approved that is contrary to the 2001 Delaware County Thoroughfare Plan and/or Ohio

Department of Transportation Access 2004-2030 Statewide Transportation Plan. See Chapter 3, Section VII, Item A for definitions of the terms discussed above.

- **Site Analysis Requirement.** All proposed developments shall require the submission of a Site Analysis. The Site Analysis shall include but not be limited to the following: location and access, topography and drainage, adjacent land use, site land use, vegetation, soils, provisions for sanitary sewers and storm drainage, natural drainage ways and flood plains, potential site related air and noise pollution, provisions for water and natural gas, impact of park and recreation lands and activities, impact on existing fire and police protection, increased vehicular trip generation rates and traffic control.

Site analysis must include an analysis of the ability of police, fire, maintenance and utility services to be provided to new development at existing or improved levels and maintained for existing development at current service levels. The analyses provided by these entities do not necessarily provide a determination that the current or desirable level of service will be created or maintained.

- **Development and Natural Drainageways.** Among the most striking attributes of the Township are its many natural drainageways and Hoover Reservoir. It is the Township's intention to continue to preserve and protect natural drainageways and, where possible, to incorporate land for the use of its citizens into park and recreation facilities.
- **Planned Conservation Developments.** In keeping with the planning policies, Planned Residential Developments with conservation development standards (PD-1/CS), and Planned Conservation Subdivisions in the Rural Residential District (PRRCD) will be encouraged. This approach provides a fair and equitable way to balance conservation and development objectives, and offers an opportunity for developers and citizens to meet in the middle, creating a more livable community in the process.

IV. Community Objectives and Supporting Principles

The most significant objective of the 2008 Comprehensive Plan is the development of Genoa Township land uses and related services in the preservation and enhancement of the residential standard of living. All community objectives and supporting principles are based on this premise. For each of the current or anticipated land uses within Genoa Township, this Section provides standards for development consistent with this primary objective. Each section states its objective and principles, which are further divided into the following subsections: (1) location; (2) access; (3) impact; (4) public services and utilities; and (5) desirability.

A. Residential.

1. **Objectives:** The primary use of land in Genoa Township is for homes for its residents. Homes for the residents of the Township should be set within an appropriate physical environment when considering adjacent or other Township uses.

2. Principles:

- a. **Location.** Residential development may be located in any of the development areas of Genoa Township (as set forth in Chapter 4) but is not appropriate within designated commercial, industrial or community facility areas. Undeveloped and most residential property bears the rural residential zoning designation at a maximum density of one (1) residence for every two (2) acres. Planned development under PD-1/CR or PRRCD require location in an area of sufficient acreage and with appropriate surrounding infrastructure to support higher densities than rural residential.
- b. **Access.** Residential development in Rural Residential and Suburban Residential zoning districts must have access to public roadways. Planned developments must have public road access with interior roads designed to minimize traffic congestion (within the development and at points of ingress and egress to and from the development). Planned development must also provide adequate police, fire and maintenance access, including sizing to permit the safe passage and effective operation of equipment and additional emergency access if a single main access should become blocked or impassable. Residential roads within developments should be designed to minimize through traffic and provide pedestrian and bikeway connectivity to surrounding neighborhoods and township bikeways and trails.

Ingress and egress should provide clear lines of sight for traffic appropriate to speed limits and topography. Traffic and stop signs, traffic lights, crosswalks and turn lanes should be incorporated to satisfy traffic requirements of Genoa Township, Delaware County and/or the State of Ohio, as applicable, erring in favor of resident safety in the event of uncertainty as to whether such measures are necessary.

- c. **Impact.** All residential development must be created and maintained in accordance with the standards set forth in the Zoning Resolution. Residential development must: (1) preserve the quiet rural environment; (2) provide safety and security through appropriate lighting and sidewalks for pedestrian access; (3) be free of excessive and indiscriminate light, noise or other environmental pollution; (4) offer consistent architecture and material standards with surrounding residential areas; and (5) contribute to the quality of life by supporting property values and the expectations of existing residents.

Residential development must be carefully located and evaluated to ensure: (1) the rate of growth is sustainable by essential services; (2) infrastructure impacts, including traffic congestion, are properly controlled; and (3) traffic access points are sufficient in number and located appropriately to support the density.

- d. **Public Services and Utilities.** Residential development should be accessible to and density and design should be considered by police, fire and maintenance services to ensure the safety and security of future and existing residents. For higher density residential development, the Zoning Commission and/or the Genoa Township Trustees may impose additional requirements to ensure appropriate lighting for security, road width, access points and installation of additional, new or improved water mains and hydrants to protect residents.
- e. **Desirability.** Residential development is the most desirable form of development within Genoa Township.

B. Limited Industrial.

1. **Objectives:** Limited industrial areas are designated to provide a safe, secure and limited impact environment for industrial activities within Genoa Township. The limited industrial development areas of Genoa Township have been identified as of the 2008 Comprehensive Plan in the southern end of the Township. No other limited industrial development sites are anticipated in Genoa Township.
2. **Principles:**
 - a. **Location.** All industrial activity is to be conducted in the areas designated within Chapter 4 as appropriate for industrial applications. Industrial activity must be separated from residential neighborhood development by significant buffering, by permitting within industrial districts only those non-industrial uses which directly support industries, and by preventing the intrusion of industrial uses into residential areas. It is not appropriate to permit light industrial uses to be used for “in-fill development” where all surrounding land uses are residential in character regardless of the amount and extent of natural or man-made buffering materials.
 - b. **Access.** Limited industrial development must be restricted to sites with appropriate street access (defined as at least two access points to Major and/or Minor Arterial roads). Related traffic and heavy equipment congestion must be mitigated by locating industrial uses adjacent only to Major and/or Minor Arterial roads approved for the transportation of related industrial products and by-products. The workforce size dictated by the scope and type of business may require that such industrial application be placed in proximity to available public transportation.
 - c. **Impact.** All industrial applications must be “light industrial” to minimize direct environmental impact on Genoa Township land and surrounding areas. Such development must be entirely consistent with the principles set forth in this Plan to avoid the disruption of surrounding land uses.

Due to the special concerns regarding light, noise and environmental pollutions in addition to opportunities for environmental disruption in the event of an accident or

emergency, light industrial applications should be limited in number within Genoa Township. In general, no industrial use will be permitted that would, upon an environmental accident, directly impact the Alum Creek or Big Walnut Creek watershed (including Hoover Reservoir). In the event that the Zoning Commission or the Genoa Township Trustees deem it necessary, an environmental impact study (publicly or privately conducted and funded) may be required regardless of any determination by a governmental entity that such environmental impact study is not required by federal or state law.

- d. **Public Services and Utilities.** Police, fire and maintenance resources must be satisfied that the infrastructure currently supports resident safety prior to the acceptance of a new or modified industrial use within Genoa Township. No new or substantially modified industrial application may be created unless the proposed site has access to public water and sewer facilities.
- e. **Desirability.** Industrial applications must contribute to the stabilization and diversification of the economic base. In general, additional or modified industrial applications will not be a preferred land use in Genoa Township.

C. Commercial/Office

- 1. **Objectives.** Commercial/office areas are designated to provide a safe, secure and limited impact environment for commercial and office activities within Genoa Township. The commercial/office development areas of Genoa Township have been identified primarily in the southern end of the Township, with the exception of the southwest corner of State Route 3 and Big Walnut Road and the northwest corner of Old 3C Highway and Big Walnut Road. No other commercial/office development areas are planned in Genoa Township.
- 2. **Principles.**
 - a. **Location.** Access to goods and services in planned commercial areas must be compatible with surrounding uses, and in appropriate locations to serve the residents. The commercial development areas of Genoa Township have been identified by the 2008 Comprehensive Plan in the southern end of the Township.
 - b. **Access.** Commercial development must be limited to sites with appropriate street access (defined as at least two access points to Major and/or Minor Arterial roads). All commercial/office development must provide for pedestrian and bike friendly connections to surrounding neighborhoods. Because this access is a key priority of Genoa Township, commercial/office development that is not appropriate or safe for users of pedestrian and bike connections is not appropriate for locations abutting residential development.

- c. **Impact.** Commercial/office uses should use attractive design that is consistent with adjacent uses by incorporating architectural and design standards within the development plan. Parking, delivery, trash and utility areas and access points required should be mitigated through the use of significant landscaping and screening. Commercial/office development must preserve the quiet and privacy, with minimal environmental impact, for abutting and nearby residential properties by: (a) requiring appropriate setbacks from streets and internal property lines in keeping with adjacent development; (b) limiting hours of operation, deliveries and access; and (c) limiting noise, light and other environmental pollutions.
- d. **Public Services and Utilities.** The Township Trustees and Zoning Commission, in conjunction with police, fire and maintenance resources must be satisfied that the infrastructure currently supports resident safety prior to the acceptance of a new or modified commercial/office use within Genoa Township. No new or substantially modified commercial/office use may be created unless the proposed site has access to public water and sewer facilities.
- e. **Desirability.** Any commercial/office development must be primarily for the purpose of serving the residents of Genoa Township and not constitute a “regional draw.” Offered services should be limited to needed goods and services that are not redundant to surrounding commercial/office areas of development. Existing large commercial development in the southern portion of Genoa Township should be supported by limiting the introduction of competing development that serves only to diminish use of existing commercial/office resources without the addition of new products, services or needed office space to satisfy immediate demand.

Any additional commercial development should be smaller footprint buildings with a preference for small businesses that are unique to the area. Because the only direct positive fiscal impact of commercial development and office development is limited to the property taxes generated by the land and related building, any development must be structured to ensure the longevity of commercial/office usage even when development to the North and West of Genoa Township is complete. Large scale retail development, strip mall development, additional gas stations and fast food restaurants with one or more drive-through windows are not desirable commercial land uses in Genoa Township whether stand-alone or abutting other types of commercial/office development. Facilities designed to operate 24 hours per day on either all days of operation or on a seasonal basis are also inconsistent with residential development outside of the current commercial/office areas in this 2008 Comprehensive Plan.

D. Open Space and Greenways.

- 1. **Objectives.** To provide and protect Genoa Township’s natural features in keeping with the vision of the 2007 Visioning Report.

2. Principles.

- a. **Location.** Open spaces are located throughout Genoa Township. The inclusion of expanded green space in residential developments and as dedicated parkland is a primary tenet of development in Genoa Township. The creation and preservation of these areas is central to the quality of life afforded to Genoa Township residents and cited in the Visioning Report in 2007.
- b. **Access.** Whenever practical and possible, access to green space should be afforded to all Genoa Township residents. Green space inside residential developments should provide for usage rules consistent with those of the open space designated as Genoa Township parks, including limits on hours of operation and standards of behavior and cleanliness. To foster connected and contiguous green space, all development shall, if feasible, include planning for: (1) safe pedestrian and, if applicable bicycle connections between developments; (2) open access to sidewalks or maintained trails bordering roadways; and (3) open access to green space located between developments.
- c. **Impact.** Park and recreation areas as green and open space were the most often-cited amenity in Genoa Township in the 2007 Visioning Report. The Zoning Resolution contains significant open and green space requirements, and these requirements must be enforced at all times. The sacrifice of existing parkland to other purposes is generally not to be permitted unless the offsetting advantage to Genoa Township residents is substantially greater than the loss of a valuable and limited commodity in the form of open space. Remaining development of open land within Genoa Township should present significant open and green space opportunities that are available to all Genoa Township residents.
- d. **Public Services and Utilities.** Except as necessary to provide safe and sanitary conditions in open and green spaces, public services and utilities should be limited in these venues to avoid environmental impact.
- e. **Desirability.** As previously indicated, open and green space is the most desirable complement to residential development. With the remaining parcels for development, preservation of the largest possible open and green spaces is desirable. Limitations on impervious surfaces within the open and green spaces should also be applied while acting to preserve the greatest amount of green space, natural wetlands, woodlands and other natural environmental elements. There was also an expressed interest from residents during the 2009 Workshops to maintain such amenities on the east side of the Hoover Reservoir, however residents in this area found private ownership of open space and greenways to be most desirable.

E. Township Services, Facilities and Amenities.

1. **Objectives.** Genoa Township's rural, pastoral atmosphere, scenic beauty, unique features, local heritage, and quality development should be protected and enhanced through the planning and implementation of Township services, facilities and amenities.
2. **Principles.**
 - a. **Location.** Genoa Township provides numerous public services including fire protection, police protection, road maintenance, public facilities maintenance and zoning enforcement. Facilities necessary to support these functions are located centrally in the Township and should remain so located. These facilities should be supplemented by additional locations that enhance the safety and convenience of Genoa Township residents.
 - b. **Access.** Township services should be centrally located to provide quick and efficient access to all portions of Genoa Township but should be limited to the extent that such activities will encroach on surrounding designated open or green space.
 - c. **Impact.** Township services benefit all residents and typically impact few in close proximity to the facility locations. In consideration of surrounding residents, expansion of township facilities should be carefully evaluated to ensure that the burden on surrounding residents is necessary to provide the appropriate levels of service and safety. The Township should continue to provide facilities with central meeting space for township activities. In addition, the Township should further explore the desire expressed by some township residents during the 2007 Vision project to establish a community center.
 - d. **Public Services and Utilities.** Township facilities are public services and will be granted access to appropriate utilities.
 - e. **Desirability.** The addition of a fire substation on the East side of Hoover Reservoir has been under consideration for some time by the Genoa Township Trustees. If a suitable location can be determined and a fiscally prudent program developed, the addition of the fire substation would be a desirable amenity in Genoa Township. Services must be fiscally prudent and value-added to Genoa Township residents to offset any burden of additional taxes raised to support such services. Collaborative efforts with surrounding jurisdictions to jointly fund such a project should also be considered.

F. Roadways.

1. **Objectives.** The thoroughfare system within the Township should be planned, located, designed, constructed, and upgraded as growth occurs. The aim is to provide for the

logical development of the Township's road system and to ensure the safe and efficient movement of people and goods.

2. Principles.

- a. **Location.** The roadways throughout Genoa Township are maintained and classified by three entities: (1) the Department of Transportation for the State of Ohio ("ODOT"); (2) Delaware County, Ohio; and (3) Genoa Township. With the exception of additional private roads or roads created to provide access to residential developments, no new significant roadways are anticipated in Genoa Township.
- b. **Access.** Roadways must provide adequate and safe access to Genoa Township residents and visitors. Roadway improvement must lead development that increases road demand. Regardless of pending improvements scheduled by governmental entities, any development plan that seeks to reduce the level of service on a roadway within Genoa Township must bear the cost of mandated improvement(s) contemporaneously with the construction of the development. The Township should consider establishing guidelines for determining financial responsibility, incorporating the Delaware County Engineer's study of such improvements.
- c. **Impact.** The roadway development and appearance is often determined by the governmental body with appropriate jurisdiction over the roadway.

ODOT retains control over all aspects of the use and maintenance of State Route 3 as it passes through Genoa Township. State Route 3 is a limited access highway, designed to move traffic from one point in the state to another with minimal interference. In Genoa Township, several roadways intersect with State Route 3. Only a handful of such intersections are managed by use of a traffic light. The ODOT 2030 Plan does not contemplate the widening of State Route 3 by the year 2030. In order to maintain the rural feeling of the State Route 3 corridor and the efficient movement of traffic, the Genoa Township Trustees should oppose any action that would increase the number of curb cuts into State Route 3. Each of the existing curb cuts will likely require traffic light regulation to avoid significant accidents at the current speed limit of 55 mph. In addition, due to the absence of a program to increase traffic capacity on State Route 3, the Genoa Township Trustees should oppose any action that would substantially increase the traffic flow on State Route 3 within Genoa Township.

Delaware County retains control over the major thoroughfares in Genoa Township (other than State Route 3). Although Genoa Township cannot directly impact the action of the Delaware County Engineer's Office in the determination of roadway

improvements or needs, the Committee recommends the creation of a preferred streetscape design by the Zoning Resolution. Such streetscape design would be shared with Delaware County and ODOT for the purpose of establishing a preferred landscape appearance for Genoa Township, including the use of trees and native ornamental plantings with divided roadways and sidewalk access. The Architectural Review Board described in Chapter 5 would include any streetscape review in its process.

For roadways controlled by Genoa Township, the Committee recommends the development of a preferred streetscape plan that uses native plantings, trees, sidewalk access and ornamental/seasonal plantings in green spaces.

- d. **Public Services and Utilities.** Utilities are often located within road right-of-ways. Creation and maintenance of roadways must be consistent with public services and utility needs.
- e. **Desirability.** Roadways that permit appropriate access and are maintained are extremely important in Genoa Township. As development continues around Genoa Township, the ability to move traffic through and to Genoa Township will be a top priority. All future development planning in Genoa Township must anticipate these needs and provide for improvement opportunities without reducing the level of service on existing roadways.