

## ARTICLE 7: PLANNED RURAL RESIDENTIAL CONSERVATION DISTRICT (PRRCD)

### Section 701: Intent and Purpose

Pursuant to Section 519.021 of the Ohio Revised Code, the Planned Rural Residential Conservation District (PRRCD) is created to further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. The PRRCD achieves this purpose while permanently preserving and integrating open space within rural residential developments; offering landowners alternatives to standard tract subdivision of their land, thereby establishing a less sprawling, more efficient use of land, streets and utilities; preserving natural topography in wooded areas; creating usable and accessible open space, recreational areas, and green corridors for wildlife, walking trails and/or bike paths; and encouraging creativity in design through a controlled process of review and approval of the development plan and related documents.

### Section 702: Overlay Area

The PRRCD is created pursuant to Section 519.021(C) of the Ohio Revised Code and encompasses, includes and overlays all land which is west of the Hoover Reservoir and contained within the Rural Residential Zoning District as of the effective date of this amendment and as shown on the current Genoa Township Zoning District Map. The Rural Residential Zoning District and the zoning regulations thereunder shall continue to apply to all property within the PRRCD unless the Township Zoning Commission approves an application of an owner of property within the Rural Residential District west of the Hoover Reservoir to subject the owner's property to the provisions of the PRRCD. Such an application shall be made in accordance with the provisions herein of the Genoa Township Zoning Resolution and shall include a development plan in compliance with the provisions of said Section. Upon receiving such an application, the Township Zoning Commission shall determine whether the application and development plan comply with the provisions herein. If the Township Zoning Commission determines that the application and development plan comply and approves the application, the Township Zoning Commission shall cause the Zoning Map to be changed so that the Rural Residential District no longer applies to such property, with the property being thenceforth located in the PRRCD and subject to the regulations thereunder. The approval of the application and development plan and the removal of the prior Rural Residential Zoning District from the Zoning Map is a ministerial act and shall not be considered to be an amendment to the Genoa Township Zoning Resolution.

### Section 703: Designing a Conservation Subdivision

A conservation subdivision is a Planned Development designed in accordance with the following process:

703.01 Five Step Sequential Design Process:

- A) Delineate all Primary Conservation Areas; preserve as Natural Open Space.
- B) Delineate select Secondary Conservation Areas; preserve as Improved Common Open Space. Preserved natural and Improved Common Open Space must exceed fifty percent (50%) of gross tract area, as in Section 705.03.
- C) Draw house footprints outside the conservation areas. The number of houses is based either on 705.04(A) or 705.04(B) (applicant's preference).
- D) Draw roads to connect the houses.
- E) Draw Lot Lines.

703.02 Design Requirements: A conservation subdivision shall incorporate the following design features:

- A) Dwellings should generally be located along the edges of fields, as seen from existing public roads, rather than in the center to reduce visual impact.
- B) Eighty-five percent (85%) or more of all house Lots should abut Open Space.
- C) Retain or replant native vegetation adjacent to wetlands and surface waters.

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- E) Preserve existing hedge and tree lines.
- F) Preserve scenic views and vistas.
- G) Avoid new construction on prominent hilltops or ridges.
- H) Protect wildlife habitat areas of species listed as endangered, threatened, or of special concern by the Ohio Department of Natural Resources.
- I) Preserve historic or archaeological sites (i.e. earthworks, burial grounds).
- J) Front Dwellings on internal roads, not on external roads.
- K) Landscape or retain vegetation in common areas with native trees and shrubs. Shade trees along internal roads shall be planted at fifty-foot intervals on at least one side of the road.
- L) Provide active recreational areas in suitable locations.
- M) Include a viable pedestrian circulation system.
- N) Protect natural drainage swales and creeks. No construction of Buildings inside the 100-year floodplain.

**Section 704: Procedure to Create a Conservation Subdivision**

- 704.01 Prepare Site Analysis Map. The applicant shall prepare a site analysis map and calculate the net developable acreage and yield as provided herein.
- 704.02 Submit Site Analysis Map without fee. The applicant shall submit the Existing Features (Site Analysis) Map for a tract(s) of land to be considered as a conservation subdivision under this Section with the Zoning Commission, and schedule an agreeable time to jointly visit the site for an on-site walkabout.
- 704.03 On-Site Walkabout. The applicant and the Zoning Commission shall walk the site, at which time the Primary and Secondary Conservation Areas to be saved shall be identified. At the completion of the site walk or shortly thereafter a very conceptual development plan should be quickly sketched on the site analysis map by the applicant or his consultant for impromptu comments from the Zoning Commission. No binding decisions or votes are made at the on-site walkabout. Based upon such comments, a formal development plan can be prepared for public hearing. The On-Site Walkabout is a public meeting pursuant to Ohio Sunshine Law and must be properly noticed.
- 704.04 Prepare Application and Formal Development Plan. Applicant shall prepare and submit a formal application and development plan, with ten (10) copies and fees to the Zoning Commission. A public hearing will be scheduled. Notice of the hearing shall be given to property owners within five hundred (500) feet of the subject tract by first class mail to the addresses of such owners as appearing on the County Auditor's current tax list. The failure of delivery of such notice shall not invalidate any action taken on the application. The Zoning Commission may request the Delaware County Regional Planning Commission (DCRPC) to comment. The Zoning Commission's review is administrative; no zoning amendment is required. The DCRPC's review is also administrative.  
  
The Final Development Plan shall include, in text and map form, the following:
  - A) A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed development.
  - B) A grading plan drawn at a scale of 1"=100', showing all information pertaining to surface drainage.
  - C) A landscape plan which depicts and identifies all proposed Landscaping features, including those specified in Section 705.20.

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- D) An explanation of the method/structure and proposed documentation and instruments to be used in order to perpetually preserve the required Open Space.
- E) The Development Plan shall be to a scale of at least 1"=100' and shall show the proposed Uses of the site, location of Buildings and Structures, streets and roadways, and parking areas, all required design features, including the following:
- 1) The general development character, design features and the permitted and Accessory Uses, Buildings and Structures to be located on the tract including the limitations or controls to be placed on each, with proposed Lot sizes, and minimum Setback and spacing requirements. Other development features, including Landscaping, entrance features, signage, pathways, sidewalks, recreational facilities and Open Space areas. All commonly owned Structures shall be shown in detail which identifies the location, quantity, type and typical section of each. The landscape plan shall identify each plant, shrub or tree, its name, its size at planting and rendering of how that section of the development would look in elevation. The Development Plan shall identify Dwelling Unit densities, Dwelling Unit types, the total number of Dwelling Units proposed for the site, and the method and manner used to calculate Density.
  - 2) Primary Conservation Areas such as the 100-year floodplain, wetlands, and slopes greater than twenty percent (20%) shall be mapped.
  - 3) No Structure (other than approved drainage structures as shown on The Development Plan) shall be constructed within the limits of the 100-year floodplain as mapped by FEMA on the Flood Insurance Rate Maps for Delaware County.
  - 4) Locations of stream channels, watercourses, wooded areas and buffer areas shall be designated. Existing topography and drainage patterns shall also be shown. Primary and Secondary Conservation Areas to be conserved and such areas to be impacted or altered shall be identified on the Plan.
  - 5) Architectural design criteria including materials, colors and renderings for all Structures and criteria for proposed Signs, with proposed control procedures. These shall also include specific renderings of the elevations of Structures. Any modification of these Structures shall require re-approval of the Development Plan by the Zoning Commission. Materials and colors shall be submitted for approval.
  - 6) The proposed provisions for water, fire hydrants, sewage disposal and surface drainage with engineering feasibility studies or other evidence of reasonableness. Pipe sizes and locations, detention basins and drainage structures shall be drawn.
  - 7) A traffic impact analysis by a competent traffic engineer, showing the proposed traffic patterns, public and private streets and other transportation facilities, including their relationship to existing streets and conditions.
  - 8) The relationship of the proposed development to existing and probable Uses of surrounding areas during the development timetable.
  - 9) Identification and location of all Uses and Structures proposed within the site and the location of schools, parks and other public facility sites within or adjacent to the site. This includes a showing of:
    - a) The exact location and dimension of private streets, common drives and public street Rights-of-Way;
    - b) Exact location of Building footprints or envelopes within which Dwelling Units are to be constructed, and Lot Lines with dimensions for all residential units for which individual ownership is proposed;
    - c) Dimensions of Building/unit spacing;

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- d) The extent of environmental conservation and change and the exact location of all no cut/No Disturb Zones;
  - e) Designated Open Space areas and a description of proposed Open Space improvements; and
  - f) The exact location of all utility easements.
- 10) The proposed time schedule for development of the site including streets, Buildings, utilities and other facilities.
- 11) If the proposed timetable for development includes developing the land (including Open Space) in phases, all phases shall be fully described in textual form in a manner calculated to give Township officials definitive guidelines for approval of future phases.
- 12) The ability of the applicant to carry forth this plan by control of the land and the engineering feasibility of the plan.
- 13) Except for Density and the percentage of required Open Space, the applicant may request a Divergence from the other Development Standards set forth in this Article. An applicant making such a request shall specifically and separately list each requested Divergence and submit written development text justifying each deviation from any requirements of this Resolution and demonstrating how each Divergence will advance public interests and the General Purposes of this Zoning Resolution, by promoting one or more of the following purposes:
- a) The conservation and protection of the natural resources, scenic areas, wildlife habitat and the historical and unique natural features of the land;
  - b) The health, safety, morals, and general welfare of the present and future inhabitants of Genoa Township;
  - c) The quality of life within Genoa Township through the protection of the total environment, the prevention of nuisances and hazards, and the provision of adequate light, air, and convenient access to property;
  - d) The assurance of the compatibility of land uses which are either adjacent or in proximity to each other;
  - e) The orderly development of all lands within the Township to its appropriate use; and/or
  - f) The most appropriate use of land to facilitate and provide adequate public and private improvements.
- 14) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained as well as the Open Space.
- 15) Other information, as may be required by the Zoning Commission, in order to determine compliance with this Resolution.
- 16) The Development Plan shall bear the seal of a registered engineer or surveyor and an architect or landscape architect, each of whom shall be licensed to practice in the State of Ohio.
- 704.05 Public Hearings. The Zoning Commission and Township Trustees shall hold a public hearing on the request within a reasonable period of time after receipt of the application, Final Development Plan and submission of fees.
- 704.06 Action by the Genoa Township Zoning Commission and the Genoa Township Trustees.

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- A) The Zoning Commission may recommend approval of the application and Final Development Plan provided it determines that the application and Final Development Plan comply with the standards of this Article as well as all other applicable sections of the Genoa Township Zoning Resolution and preserve and protect the Primary Conservation Areas, and adequately provide useable Open Space in Secondary Conservation Areas.
- B) If the Zoning Commission finds that the Final Development Plan does not meet the standards of this Article or any other applicable section of the Genoa Township Zoning Resolution or that the Divergences requested are not warranted, they shall deny the plan or the Divergences. This completes the Zoning Commission's actions, and they shall forward the application and Final Development Plan to the Township Trustees for their review.
- C) Upon receipt of the application and Final Development Plan and the Zoning Commission's recommendations, the Township Trustees shall hold a properly advertised public hearing. Notice of the hearing shall be given to property owners within five hundred (500) feet of the subject tract by first class mail to the addresses of such owners as appearing on the Delaware County Auditor's current tax list. The failure of delivery of such notice shall not invalidate any action taken on the application.
- D) The Township Trustees can either uphold, modify, or overturn the recommendation of the Zoning Commission. A majority vote is required by the Township Trustees to uphold the Zoning Commission's recommendation. A majority decision of the Township Trustees is required to overturn or modify the Zoning Commission's recommendation.

704.07 Subdivision Plat. No Certificate of Zoning Compliance shall be issued for any Structure in any portion of a Planned Development for which a plat is required by the Delaware County Subdivision Regulations unless and until:

- A) The final subdivision plat for that portion has been approved by the Delaware County Regional Planning Commission, Delaware County Commissioners and recorded; and
- B) A full size and an 11"x 17" copy have been filed with the Zoning Inspector.

No modification of the provisions of the Final Development Plan, or part thereof, as finally approved shall be made unless the provisions of Section 705 are followed. The applicant shall submit the subdivision plat to the Zoning Inspector for review in order to assure the notes and agreed conditions on the Development Plan are not compromised by final engineering.

704.08 Certificate of Zoning Compliance. After the Final Development Plan is approved and any required final Subdivision Plat is recorded, the Zoning Inspector may issue a Certificate of Zoning Compliance upon payment of the required fees and submission of the detailed Landscaping plan for each platted Lot. The Certificate of Zoning Compliance for a Planned Development shall be for a period not to exceed three (3) years or that period approved in the Final Development Plan. If no construction has begun within three (3) years after approval is granted the Final Development Plan approval shall be void.

**Section 705: Development Plan Standards**

- 705.01 Permitted Uses: Single-family detached Dwellings; Attached two and three unit dwellings; Open Space; recreation facilities accessory to the development.
- 705.02 Minimum tract size: Twenty-five (25) acres.
- 705.03 Open Space: At least fifty percent (50%) of the gross tract acreage shall be designated as permanent Common Open Space, not to be further subdivided. Open Space shall be owned, administered and maintained pursuant to Sections 913 and 914 of the Genoa Township Zoning Resolution. Dedication of land for public purposes approved with the development plan including trails, active recreation, spray irrigation fields, etc. may be encouraged by the Township Trustees. The decision whether to accept an applicant's offer to dedicate Open Space for public use shall be

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at the discretion of the Township Trustees. Land dedicated to public purposes may count toward the Open Space requirement if approved on the development plan.

- A) At least twenty-five percent (25%) of the minimum required Open Space shall be suitable for active recreation purposes, but no more than fifty percent (50%) shall be utilized for that purpose, in order to preserve a reasonable proportion of Natural Open Space on the site. The development plan shall specify the purposes for which Open Space areas are proposed. Any recreational facilities proposed to be constructed within Open Space areas shall be clearly shown on the development plan.
- B) In calculating Open Space, the areas of fee simple Lots conveyed to homeowners shall not be included.
- C) The required Open Space may be used for underground drainage fields for individual or community On-Site Sewage Disposal Systems, and for "spray fields" for spray irrigation purposes in a "land treatment" sewage disposal system as approved per the development plan.
- D) Primary Conservation Areas plus storm water management detention/retention ponds, plus constructed wetlands acting as detention basins, plus sewage treatment ponds may count in their combined aggregate for up to fifty percent (50%) of the required Open Space.
- E) Any area of Natural Open Space that is proposed to be disturbed during construction or otherwise not preserved in its natural state shall be shown on the development plan and shall be restored with vegetation that is compatible with the natural characteristics of the site. The method and timing of any restoration shall be set forth in the development plan.
- F) There shall be an open space no-build setback of two hundred (200) feet measured from the centerline of a major thoroughfare or arterial street to any lot line(s) of the house lots created within the development.

705.04 Determining Density or "Yield". The permitted Density is the number of Dwelling Units in the development. Applicants shall have two options to establish the legally permitted Density.

Either:

- A) Multiply the Net Developable Area (in acres) by either:
  - 1) Six tenths (0.6) Dwelling Unit per net developable acre with On-Site Sewage Disposal Systems; or
  - 2) Seventy-five hundredths (0.75) Dwelling Units per net developable acre with centralized sewer.

The result in either case shall be rounded down to the nearest whole number; or

- B) Create a "yield plan" for a conventional subdivision of 2-acre Lots. The conservation subdivision may cluster the same number of Dwellings as provided herein. Such "yield plan" consists of a conventional Lot and street layout and must conform to the Township's regulations for the Rural Residential Zoning District governing Lot dimensions, land suitable for development, street design, parking, water supply and general sewage disposal feasibility (by soils mapping or other alternative). Although such plans shall be conceptual in nature, and are not intended to involve significant engineering costs, they must be realistic and must not show potential house sites or streets in areas that would not ordinarily be legally permitted in a conventional layout.

Typical "yield plans" would include, at minimum, basic topography, location of wetlands, 100-year floodplains, slopes exceeding twenty percent (20%), and soils subject to slumping, as indicated on the medium-intensity maps contained in the county soil survey published by the USDA Natural Resources Conservation Service.

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- 705.05 Sewage Disposal: For sites not served by public centralized sewer, sewage disposal feasibility shall be demonstrated by letter from the local Board of Health, the Ohio EPA, or a licensed sanitary or civil engineer.
- 705.06 Perimeter Setback: No Building shall be constructed within fifty (50) feet of the external boundary of the conservation subdivision.
- 705.07 Storm Water: No features shall be designed which are likely to cause erosion or flooding.
- 705.08 Subdivision Standards: Street and drainage improvements shall conform to the subdivision standards for Delaware County, Ohio, and Genoa Township Street Specifications as contained in Section 903.09.
- 705.09 Paths: Sidewalks or walking paths may be required for subdivisions of more than fifteen (15) Lots. Sidewalks/paths shall be separated from the paved street surface by at least five (5) feet of landscaped or grassed strip. The Zoning Commission may require paved/unpaved walkways to connect residential areas and Open Spaces.
- 705.10 Street Trees: Deciduous, broad leaf street trees with a minimum caliper of three inches (3") at planting shall be planted (or retained) at least every fifty (50) lineal feet along at least one side of the street(s).
- 705.11 Minimum Front Setbacks: Dwelling Units shall be set back forty (40) feet from the edge of the contiguous Right-of-Way. Garages must be set back at least fifty (50) feet from the edge of the contiguous Right-of-Way, except side load garages shall be set back at least forty (40) feet from the edge of the contiguous Right-of-Way.
- 705.12 Minimum Lot Size: Twelve thousand (12,000) square feet for Single-family detached Dwellings on fee simple ownership lots. Attached units or detached condominiums as approved per the Final Development Plan.
- 705.13 Minimum Lot Width at the Building Line: One hundred (100) feet for Single-family detached Dwelling Units on fee simple ownership Lots.
- 705.14 Minimum Side Yards: Twelve and one-half (12½) feet each side, with no encroachments, including chimneys, air conditioning units, etc., for Single-family detached Dwellings on fee simple ownership Lots. In all other cases, the minimum separation between Buildings containing Dwelling Units shall be thirty (30) feet.
- 705.15 Driveway Setbacks: Two (2) feet from Side Lot Line. Side-load garages shall provide at least 24 feet of paved apron in addition to the two (2) foot Setback from the Lot Line for Single-family detached Dwellings on fee simple ownership Lots. Attached units or detached condominiums as approved per the Final Development Plan.
- 705.16 Minimum Rear Yard: Thirty (30) feet for Single-family detached Dwellings on fee simple ownership Lots and Attached Garages. Fifteen (15) feet for Accessory Buildings. Attached units or detached condominiums as approved per the Final Development Plan.
- 705.17 Building Height Requirement: No Principal Building in this District shall exceed thirty-five (35) feet in height.
- 705.18 Minimum Dwelling Unit Floor Area: See Section 708.
- 705.19 Street Lighting: If provided, it must be of white light, maximum height sixteen (16) feet in accordance with Article 21 of the Genoa Township Zoning Resolution.
- 705.20 Landscaping: All yards, front, side and rear, shall be landscaped. All Improved Common Open Space shall be landscaped per the approved development plan. A landscape plan for the Common Open Space and streetscape within road Right-of-Way shall be prepared by a licensed landscape architect showing the caliper, height, numbers, name and placement of all material, and shall be submitted with and approved as a part of the Final Development Plan.

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- 705.21 Parking: Off-Street parking shall be provided at the time of construction of each principal Structure or Building, with adequate provisions for ingress and egress in accordance with the development plan. Off-Street parking shall comply with the provisions of Article 19 of the Genoa Township Zoning Resolution.
- 705.22 Signs: All Signs shall be in accordance with Article 18 of the Genoa Township Zoning Resolution.
- 705.23 Supplemental Conditions and Safeguards: The Zoning Commission may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed, landscaping, development, improvement and maintenance of Open Space (whether Improved Common Open Space or Natural Open Space), and any other pertinent development characteristics.
- 705.24 Divergences: The Zoning Commission, as a part of development plan approval, may grant Divergences from any standard or requirement in this Section with the exception of Density and the percentage of required Open Space. An applicant requesting a Divergence shall specifically and separately list each requested Divergence and the justification therefore on the development plan submittals with a request that the proposed Divergence be approved "per plan".

#### Section 706: Ownership and Maintenance of Open Space

Common Open Space within a development shall be owned, administered, and maintained pursuant to Sections 913 and 914 of the Genoa Township Zoning Resolution.

#### Section 707: Extension or Modification of Final Development Plan

- 707.01 An extension of the time limit for the approved Final Development Plan may be granted by the Zoning Commission without public hearing provided the Zoning Commission finds that such extension is not in conflict with public interest.
- 707.02 A request for minor changes to the Final Development Plan may be approved by the Zoning Commission without being subject to the same procedures as the original application. In approving such requests, the Zoning Commission may impose such conditions, safeguards and restrictions in order to carry out the purpose and intent of this District.
- 707.03 In the case of a request for a modification or amendment to the Final Development Plan that represents a substantial departure from the intent of the original proposal, said modification or amendment shall be subject to the same procedure and conditions of approval as the original application. The following shall be considered substantial departures from the original application:
- A) A change in the Use or character of the development;
  - B) An increase in overall coverage of Structures;
  - C) An increase in the Density;
  - D) An increase in the problems of traffic circulation and public utilities;
  - E) A reduction in approved Open Space;
  - F) A reduction of Off-Street Parking Space and loading space;
  - G) A reduction in required pavement widths; or
  - H) A reduction of the acreage in the Planned Development.
- In approving such requests, the Zoning Commission may impose such conditions, safeguards and restrictions in order to carry out the purpose and intent of this District.

#### Section 708: Minimum Floor Area Requirements

The minimum residential Floor Area per Dwelling Unit within Genoa Township shall be in accordance with the following. The minimum square footage of Floor Area shall be exclusive of Porches, breezeways, utility areas, storage areas, unheated areas, unfinished areas, Basements and Attached Garages.

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<u>Dwelling Type</u>	<u>Minimum Floor Area</u>
One story	One thousand one hundred (1100) square feet of Floor Area above grade.
1 ½/Split Level/Bi-level/ Walkout	One thousand two hundred (1200) square feet of Floor Area with nine hundred sixty (960) square feet on the first floor above grade.
Two stories	One thousand four hundred (1400) square feet of Floor Area with eight hundred (800) square feet on the first floor above grade.
Garage	Two (2) car Attached Garage.

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