

**Excerpted from the Genoa Township Zoning Code,
Adopted October, 2003**

Section 401 Rural Residential District (RR)

401.01 Purpose

There is hereby created within Genoa Township a Rural Residential District whose purpose is to preserve and protect the surface and ground water quality, retain open space, preserve woodlands, wetlands and other environmentally sensitive areas, and permit low density residential development that fits the natural landscape.

401.02 Permitted Principal Uses

- a) Single family dwellings on lots of two (2) acres or greater.
- b) Planned Rural Residential Conservation Subdivisions, only as provided in Section 401.07
- c) Religious land uses, churches and other places of worship as regulated by Section 518.
- d) Public buildings and/or uses which are supported in whole or part by taxes or by special public assessment. Such uses include but are not limited to parks, playgrounds, libraries, schools, fire stations, community centers, water treatment, pumping and storage facilities, wastewater treatment and pumping facilities.
- e) Forest and wildlife preserves.
- f) Projects specifically designed for watershed protection, conservation of soil or water or for flood control.
- g) Foster homes provided such homes comply with all appropriate state and local agency licensing requirements.
- h) Adult Family Homes, as provided for in Ohio Revised Code 3722 for the care of 3-5 unrelated adults.
- i) Child Day care provided in home for six (6) or fewer children who are not members of the immediate resident family provided the day care is accessory to the use of the dwelling as the provider's residence and further provided that such day care qualifies as a Type B family day care home as defined in Ohio Revised Code Section 5104.01.

401.03 Permitted Accessory Uses

- a) Bona-fide agricultural accessory structures including, but not limited to barns, stables, sheds, tool rooms, shops, bins, tanks, silos, and fences.
- b) Accessory structures as regulated by Section 505, including permanent dwellings for full time farm labor employed on the premises.
- c) Accessory storage of recreational vehicles, boats, motor homes, equipment, trailers and other vehicles other than passenger cars as regulated by Section 511.

- d) Private swimming pools as regulated by Section 508 together with game courts for the use of occupants and their guests.
- e) Fences as regulated by Section 506.
- f) Temporary uses specified in and regulated by Section 515.
- g) Satellite dish antennas and aerial antennas as regulated by Section 523.
- h) The operation and use of off road motorized vehicles as regulated by Section 529.
- i) The keeping of animals and/or fowl as pets or for domestic use. (move from 401.02 to here)
 - 1.) No animals, except household pets, shall be kept on any parcel of less than five (5) acres unless the building housing said animals is at least fifty (50) feet from any lot line. Swine and goats may be kept on such tract only if the building housing such swine or goats is located at least two hundred (200) feet from any lot line.
 - 2.) This subsection shall apply only to those parcels where the total land holdings of the using party is five (5) acres or less and shall not be construed to apply to individual pens, pastures or fields of less than five (5) acres if part of a larger tract of land devoted to agricultural uses.
 - 3.) Any parcel of land located within the Rural Residential District and containing less than five (5) acres shall contain no more than one (1) large animal for every two and one-half (2 1/2) acres of land. Large animal is defined for the purposes of this Section as being any animal weighing more than one hundred fifty (150) pounds.

401.04 Conditional Uses

The following uses shall be permitted only in accordance with Article XI, the supplemental regulations specified in Article V, and the sign regulations specified in Article VII.

- a) Swimming pools as regulated by Section 525 and golf courses as regulated by Section 531.
- b) Home occupations conducted by the resident of a permitted dwelling as regulated by Section 517.
- c) Kindergarten as regulated by Section 509.
- d) Public or private schools and colleges provided that said institution occupies not less than twenty (20) acres. Instructional areas, whether improved with buildings or not, shall provide adequate parking areas for faculty, staff and students. Such parking may not exist within the right of way of any road or highway. A site plan shall be prepared and submitted for consideration by the Board of Zoning Appeals and shall provide screening adjacent to residential areas.
- e) Family care homes as regulated by Section 512.

- f) Parking lots or storage yards for boats and recreational vehicles provided such area is owned or controlled by neighborhood or community associations and use is limited to residents of the subdivision served.
- g) Temporary conditional uses specified in and regulated by Section 530.
- h) Kennels on lots of five (5) acres or more provided that any building, outside an enclosed area, or outside run is a minimum of five hundred (500) feet from any existing dwelling and a minimum of two hundred (200) feet from any side or rear lot line.
- i) Private landing fields as regulated by Section 519 for aircraft for use by the Owner of the property and his/her guests provided that no commercial activities take place on said premises.
- j) Hospitals, sanitariums, life care retirement centers or homes for children provided that the area of the tract is adequate to provide setbacks of the districts and recreational areas prescribed by the Board of Zoning Appeals.
- k) Cemetery, provided it meets the standards of Section 516.

401.05 Prohibited Uses

- a) All uses not specifically authorized as a permitted or conditionally permitted use by the express terms of this Section of the Zoning Resolution are hereby prohibited unless it is specifically determined by the Board of Zoning Appeals that the proposed use is similar to and compatible with other uses permitted within the District.
- b) For the purposes of this Resolution, the operation of a feed lot for the feeding for sale of cattle, sheep or hogs shall be deemed commercial if the number of such animals is greater than five (5) head of cattle or ten (10) head of sheep or hogs per acre of farmland operated by the proprietor in Genoa Township. The feeding for sale of more than one thousand (1,000) chickens, five hundred (500) turkeys or two hundred fifty (250) of other species of poultry at any one time shall be deemed commercial. None of these commercial operations shall be permitted in the Rural Residential District.
- c) Outdoor storage of inoperable, unlicensed or unused motor vehicles for a period exceeding seven (7) days is prohibited. Such vehicles, if stored on the premises, shall be enclosed within a building so as not to be visible from any adjoining property or public road.
- d) Except for permanently sited manufactured homes as defined herein, or as specifically permitted by Section 515 and Section 530 no mobile home or mobile office shall be placed or occupied in this district.
- e) Adult entertainment and adult entertainment facilities are prohibited.
- f) Group homes as described by Ohio Revised Codes sections 3722, 5119.22, 5123.19 and 2151.418.
- g) Any commercial or business use of a parcel in this district shall be prohibited unless it complies with Section 517, Home Occupations, of this code. This shall include but is not limited to parking of vehicles or equipment used in a business or the operation of a service type business where no work actually takes place on

the site such as roofing, excavating or lawn maintenance, plumbing and other similar type operations.

- h) Except as specifically permitted by Section 113, no telecommunications tower as defined in Ohio Revised Code Section 519.211(B)(1) shall be allowed in this District.

401.06 Dimensional Requirements for conventional subdivision lots, or lot splits exclusive of conservation subdivisions.

- a) Minimum lot area: no parcel of land in this district, shall be used for residential purposes which has an area of less than two (2) acres exclusive of the land area in Common Access Drive easements.
- b) Minimum lot frontage: as defined in Section 208.10 except as hereinafter set forth, all lots or parcels shall have one hundred fifty (150) feet frontage.

Flag lots or parcels having less than the above listed minimum frontage must have a lot width fifty (50) feet forward of the building line which is equal to that minimum lot frontage requirement. In no case shall the parcel have a lot width less than sixty (60) feet at the right of way line and the width of sixty (60) feet shall not be decreased at any point forward of the building line of the principal residence located on the premises.

- c) Any parcel of land which at the building setback line is separated or removed from the public road by more than one other parcel of land shall be accessed only by a Common Access Drive (CAD) as regulated by Section 535.

For lots having frontage on streets having extreme curvature, e.g., cul-de-sacs, the lot shall have the minimum width as specified above at the building line, and a lot width of not less than ninety-five (95) feet at the right-of-way line. Where streets have extreme curvature, no more than three (3) lots with such reduced lot width at the right-of-way line shall be permitted.

- d) Minimum corner lot frontage: one hundred fifty (150) feet frontage.
- e) Minimum front yard depth: seventy-five (75) feet measured from the road right of way. If the lot is along a street in a new subdivision with platted streets having a carrying capacity of less than 2,000 vehicles per day, defined by ADT (Average Daily Traffic) and is served by public water and sewer, the minimum front yard depth is fifty (50) feet from the road right of way.
- f) Minimum side yard width, each side: no principal building or structure shall be located closer than twenty-five (25) feet to any side lot line.
- g) Minimum rear yard depth: no principal dwelling shall be located closer than fifty (50) feet to the rear lot line.
- h) Building height limits: no principal building in this district shall exceed thirty-five (35) feet in height, as defined in Section 204.07.
- i) Lot coverage: on no lot or parcel in this zoning district shall buildings be constructed which cover more than ten percent (10%) of the lot area, and impervious surfaces (roofs and pavement) shall not exceed 25% of the lot area.

- j) Accessory structures: all accessory structures shall conform to the requirements of Section 505.
- k) Floor space requirements: each residential dwelling hereafter erected in this district shall have a minimum floor area per dwelling unit as specified in Section 526.

401.07 PLANNED RURAL RESIDENTIAL CONSERVATION DISTRICT

Pursuant to Section 519.021 of the Ohio Revised Code, the Planned Rural Residential Conservation District 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 Planned Rural Residential Conservation District achieves this purpose while permanently preserving and integrating open space within rural residential developments; offering landowners alternatives to standard tract 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.

401.07.1 Overlay Area

The Planned Rural Residential Conservation District is created pursuant to Section 519.021(C) of the Ohio Revised Code and encompasses, includes and overlays all land that is contained within the Rural Residential Zoning District as of the effective date of this amendment and as shown on the Genoa Township Zoning District Map dated September 17, 2003, which map is hereby adopted as the official Zoning District Map as part of this amendment. The Rural Residential Zoning District and the zoning regulations thereunder shall continue to apply to all property within the Planned Rural Residential Conservation District unless the Genoa Township Zoning Commission approves an application of an owner of property within the Rural Residential District to subject the owner's property to the provisions of the Planned Rural Residential Conservation District. Such an application shall be made in accordance with the provisions of Section 401.07 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 Genoa Township Zoning Commission shall determine whether the application and development plan comply with the provisions of Section 401.07. If the Zoning Commission determines that the application and development plan comply with the provisions of Section 401.07 and approves the application, the 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 Planned Rural Residential Conservation District 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.

401.07.2 Definitions

A. Existing Features (Site Analysis) Plan. Plan that depicts:

1. a topographic map as published by the Delaware County Auditor's DALIS office;
2. the location of steep slopes (over 20%), wetlands, watercourses, intermittent streams and 100-year floodplains, and all existing rights-of-way and easements;
3. soil boundaries as shown on USDA Natural Resources Conservation Service medium-intensity maps; and
4. the location of significant features such as woodlands, tree lines, open fields or meadows, scenic views into or out from the property, watershed divides and

drainage ways, fences or stone walls, rock outcrops, and existing structures, roads, tracks and trails, and any sites listed on the ODNR Natural Diversity Inventory.

B. Primary Conservation Areas- steep slopes (over 20%), wetlands, watercourses, intermittent streams and 100-year floodplains.

C. Secondary Conservation Areas- land typically consisting of upland forest, meadows, pastures, and farm fields that are part of the ecologically connected matrix of natural areas significant for wildlife habitat and/or water quality protection; historic, archaeological or cultural features listed (or eligible to be listed) on national, state or county registers or inventories, and scenic views into the property from existing public roads and other reasons. Secondary conservation areas are the “nice places” that are to be saved in a conservation subdivision in addition to the primary conservation areas.

401.07.3 Designing a Conservation Subdivision A conservation subdivision is an open space development designed in accordance with the following process:

A. Five Step Sequential Design Process:

1. Delineate all primary conservation areas; preserve as natural open space.
2. Delineate select secondary conservation areas; preserve as improved common open space. Preserved natural and improved common open space must exceed 50% of gross tract area, as in Section 401.07.5, C. 1-4.)
3. Draw house footprints outside the conservation areas. The number of houses is based either on 401.07.5D 1.) or 401.07.5D 2.) (applicant’s preference).
4. Draw roads to connect the houses.
5. Draw lot lines.

B. Design Requirements:

A conservation subdivision shall incorporate the following design features:

1. 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.
2. 85% or more of all house lots should abut open space.
3. Retain or replant native vegetation adjacent to wetlands and surface waters.
4. Preserve existing hedge and tree lines.
5. Preserve scenic views and vistas.
6. Avoid new construction on prominent hilltops or ridges.
7. Protect wildlife habitat areas of species listed as endangered, threatened, or of special concern by the Ohio Department of Natural Resources.
8. Preserve historic or archaeological sites (i.e. earthworks, burial grounds).
9. Front dwellings on internal roads, not on external roads.

10. 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.
11. Provide active recreational areas in suitable locations.
12. Include a viable pedestrian circulation system.
13. Protect natural drainage swales and creeks. No construction of buildings inside the 100 year floodplain.

401.07.4 PROCEDURE TO CREATE A CONSERVATION SUBDIVISION

A. Prepare Site Analysis Map- The applicant shall prepare a site analysis map and calculate the net developable acreage and yield as provided herein.

B. 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.

C. 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.

D. Prepare Application and Formal Development Plan- Applicant shall prepare s and submit a formal application and development plan, with fifteen (15) copies and fees, to the Zoning Commission. Zoning Commission schedules a public hearing. Abutting landowners within 500 feet of the subject tract shall be notified. Zoning Commission may request the DCRPC to comment. 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:

1. A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed development.
2. A grading plan drawn at a scale of 1"=100', showing all information pertaining to surface drainage.
3. A landscape plan which depicts and identifies all proposed landscaping features, including those specified in Section 401.07.5 T.
4. An explanation of the method/structure and proposed documentation and instruments to be used in order to perpetually preserve the required open space.
5. 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:

- a. 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.
- b. Primary conservation areas such as the 100-year floodplain, wetlands, and slopes greater than 20% shall be mapped.
- c. 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.
- d. 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.
- e. 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 Township Zoning Commission. Materials and colors shall be submitted for approval.
- f. 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.
- g. 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.
- h. The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable.
- i. 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:

- i. the exact location and dimension of private streets, common drives and public street rights-of-way;
 - ii. 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;
 - iii. dimensions of building/unit spacing;
 - iv. the extent of environmental conservation and change and the exact location of all no cut/no disturb zones;
 - v. designated open space areas and a description of proposed open space improvements; and
 - vi. the exact location of all utility easements.
- j. The proposed time schedule for development of the site including streets, buildings, utilities and other facilities.
- k. 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.
- l. The ability of the applicant to carry forth this plan by control of the land and the engineering feasibility of the plan.
- m. Except for density and the percentage of required open space, the applicant may request a divergence from the other development standards set forth in Section 401.07. An applicant making such a request 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." Unless specifically supplemented by the standards contained in Section 401.07 or those standards approved in the Development Plan, the development shall comply with the requirements contained in Section 524.14 through 524.19, inclusive, and the General Development Standards applicable to all zoning districts, as set forth in Articles V, VI and VII of the Genoa Township Zoning Resolution.
- n. Deed restrictions, protective covenants, and other legal statements or devises 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.
- o. Other information, as may be required by the Township Zoning Commission, in order to determine compliance with this Resolution.

- p. 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.

E. Public Hearing- The Zoning Commission 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.

F. Action by Zoning Commission- The Zoning Commission may approve the application and final development plan for the PRRCD provided it finds that:

1. the proposed use complies with all purposes, requirements and standards established in this zoning resolution and that any divergence is warranted by the design and amenities incorporated in the development plan;
2. the design preserves and protects primary conservation areas, and adequately provides useable open space in secondary conservation areas;
3. that the proposed use is in accord with applicable plans or policies for the area;
4. that the proposed development will be adequately served by essential public facilities and services such as roads, walks, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; and
5. that the proposed development is in keeping with the existing land use character and physical development potential of the area. In approving the application and Final Development Plan, the Zoning Commission may impose such conditions, safeguards and restrictions in order to carry-out the purpose and intent of this district.

G. Subdivision Plat

No zoning certificate 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:

1. The final subdivision plat for that portion has been approved by the Delaware County Regional Planning Commission, Delaware County Commissioners and recorded.
2. 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 subsection 401.07.7 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.

H. Zoning Certificate

After the Final Development Plan is approved and any required final Subdivision Plat is recorded, the Zoning Inspector may issue a zoning permit upon payment of the required fees and submission of the detailed landscaping plan for each platted lot. The zoning permit 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.

401.07.5 PRRCD DEVELOPMENT PLAN STANDARDS

A. Permitted Uses- Single family detached dwellings; attached two and three unit dwellings; open space; recreation facilities accessory to the development.

B. Minimum tract size for a PRRCD Subdivision- 10 acres.

C. Open Space- At least 50% of the gross tract acreage shall be designated as permanent open space, not to be further subdivided. Open space shall be owned, administered and maintained pursuant to Sections 524.12 and 524.13 of the Genoa Township 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. The decision whether to accept an applicant's offer to dedicate open space for public use shall be 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.

1. 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.
2. In calculating open space, the areas of fee simple lots conveyed to homeowners shall not be included.
3. The required open space may be used for underground drainage fields for individual or community septic systems, and for "spray fields" for spray irrigation purposes in a "land treatment" sewage disposal system as approved per the development plan.
4. Primary conservation areas as defined in Section 401.7.02, 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 50% of the required open space.
5. 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.

D. 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:

1. Multiply the net developable area (in acres) by either:
 - (a) .6 (six tenths) dwelling unit per net developable acre with on-site septic systems; or
 - (b) .75 (seventy five hundredths) dwelling units per net developable acre with centralized sewer. The result in either case shall be rounded down to the nearest whole number; or
2. 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 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.

- E. **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.
- F. **Perimeter Setback**- No building shall be constructed within 50 feet of the external boundary of the conservation subdivision.
- G. **Storm Water**- No features shall be designed which are likely to cause erosion or flooding.
- H. **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 524.16 of the Genoa Township Zoning Resolution.
- I. **Paths**- Sidewalks or walking paths may be required for subdivisions of more than 15 lots. Sidewalks/paths shall be separated from the paved street surface by at least five feet (5') of landscaped or grassed strip. The Zoning Commission may require paved/unpaved walkways to connect residential areas and open spaces.
- J. **Street Trees**- Deciduous, broad leaf street trees with a minimum caliper of two inches (2") at planting shall be planted (or retained) at least every fifty (50) lineal feet along at least one side of the street(s).
- K. **Minimum Front Setbacks**- Dwelling Units shall be set back forty (40) feet from the street right of way. Front load garages shall be setback at least ten (10) feet behind the front building line of the dwelling unit, or may be flush with the dwelling unit front if the dwelling unit sets back at least fifty (50) feet from the street right of way. Side load garages shall be setback at least forty (40) feet from the street right of way.
- L. **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.
- M. **Minimum Lot Width** at the building line- One hundred (100) feet for single family detached dwelling units on fee simple ownership lots.
- N. **Minimum Side yards**- Twelve and one-half (12 ½) 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
- O. **Driveway Setbacks**- Two feet from side lot line. Side-load garages shall provide at least 24 feet of paved apron, exclusive of the 2 foot side lot line for single family detached dwellings on fee simple ownership lots. Attached units or detached condominiums as approved per the final development plan.

- P. **Minimum Rear yard**- 30 feet for single family detached dwellings on fee simple ownership lots and attached garages. 15 feet for accessory buildings. Attached units or detached condominiums as approved per the final development plan.
- Q. **Building Height Requirement**- No principal building in this district shall exceed thirty-five (35) feet in height, as defined in Section 204.07 of the Genoa Township Zoning Resolution.
- R. **Minimum Dwelling Unit Floor Area**- Eleven hundred (1100) square feet per dwelling unit.
- S. **Street lighting**- if provided must be of white light, maximum height 16 feet in accordance with Section 532 of the Genoa Township Zoning Resolution.
- T. **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.
- U. **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 VI of the Genoa Township Zoning Resolution.
- V. **Signs**-All signs shall be in accordance with Article VII of the Genoa Township Zoning Resolution.
- W. **Other Requirements**- Unless specifically supplemented by the standards contained in Section 401.07 or those standards approved in the development plan, the development shall comply with the requirements contained in Sections 524.14 through 524.19, inclusive, and the General Development Standards applicable to all zoning districts as set forth in Articles V, VI and VII of the Genoa Township Zoning Resolution.
- X. **Supplemental Conditions and Safeguards**-The Genoa Township 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.
- Y. **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".

401.07.6 OWNERSHIP AND MAINTENANCE OF OPEN SPACE

A. Ownership Standards

Common open space within a development shall be owned, administered, and maintained pursuant to Sections 524.12 and 524.13 of the Genoa Township Zoning Resolution.

401.07.7

A. Extension or Modification of Final Development Plan

- a) 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.
- b) 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.
- c) 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:
 - 1) A change in the use or character of the development
 - 2) An increase in overall coverage of structures
 - 3) An increase in the density
 - 4) An increase in the problems of traffic circulation and public utilities
 - 5) A reduction in approved open space
 - 6) A reduction of off-street parking and loading space
 - 7) A reduction in required pavement widths
 - 8) 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.