

CHAPTER 5: IMPLEMENTATION

A number of approaches have been chosen to make Genoa Township's vision a reality. Taking a strategic approach helps focus the Township's efforts in the right direction early in the implementation process and incorporates what is truly unique about the Township. When followed, these strategies are designed to bring this Plan's recommendations to life in a timely manner. This chapter provides a list of implementation strategies organized within specific categories.

I. Retain the Qualities of Genoa Township that are Desirable to Residents

A. Inventory and Protect Critical Resources by Utilizing Geographic Information System

Not all of Genoa Township is suitable for development. Delaware County's Geographic Information System (GIS) provides assistance in identifying those areas that may not be suitable for development regardless of whether the area is inside or outside the present sewer service area. GIS can also identify those areas that are critical in preserving the Township's overall rural image. This includes, but is not limited to; bodies of water, wetlands, ravines, archeological resources, steep slope areas, wooded lots, and flood-prone sites.

B. Encourage Further Protection of the Watersheds

The Genoa Township Board of Trustees should consider exploring future measures with conservation groups to develop and implement watershed protection plans and policies. While Hoover Nature Preserve and U.S. Army Corps lands provide natural protection, additional actions in watersheds can help to further protect their natural qualities.

C. Emphasize More Creative Design through Conservation Development

Encourage the use of the "Conservation Development Standards" in the Planned Residential District (PRD). Such a creative approach will allow development of more building lots while retaining protected natural areas in keeping with the Township's vision.

D. Promote Publicly-Owned and Networked Green Space

As developments are planned, consideration by Genoa Township should be given to the ownership of green space. Developers may donate lands to Genoa Township or grant them to homeowner associations, or other entities approved by the Board of Trustees, that would ensure public use and protection of such lands. As development occurs, consideration should be given to how green space areas can be publicly linked with bike paths and/or pedestrian pathways.

E. Utilize Conservation Easements to Preserve Native Landscape

The cost of acquiring property for natural or cultural resource conservation is often possible only at a considerable expense. Other alternatives contain inherent legal risks such as the taking of property for public purpose. In the case where a homeowners' association is not in place, an open space set aside or conservation easement may be more appropriate than fee simple acquisition. As an agreement between property owners and the holder of the easement

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(governing treatment of the property by current and future owners), the conservation easement allows the property owner to continue owning and using in perpetuity a property while assuring its protection from development and the preservation of critical resources.

The Delaware Soil and Water Conservation District established a conservation easement program that allows them to accept such easements that may also need to be maintained for drainage purposes. This program is encouraged to be utilized, if desirable. This program allows for ownership of the easement by a party that not just ensures its protection through the Delaware County Prosecutor's Office, but also has staff to address the maintenance of such easements.

F. Protect 100-year Floodplains from Filling and Encroachment

Delaware County's Code Compliance Office acts as the Floodplain Coordinator for the County. While they already limit certain construction within the floodplain, the Township should consider working with them to strengthen these restrictions. In accordance with the previous recommendation, conservation easements can be placed over such lands and used to preserve both the floodplain, adjacent wooded areas, or areas in need of preservation that protect the vitality of the floodplain and its purpose as a flood control area. Additional easements may also help to preserve wildlife and critical resources.

G. Utilize Farmland Preservation Easements

Landowners who want to protect their land in agricultural use should consider donating an easement over their land to the Ohio Department of Agriculture. There are many federal tax advantages associated with the donation of an easement and the easement assures the land is not developed in the future. These donations are evaluated by the Ohio Department of Agriculture prior to acceptance to ensure that such lands are suitable for long-term agricultural use.

II. Guide Development in Such a Way to Maintain and Advance the Local Quality-of-Life

A. Limit Type of Commercial/Office and Industrial Uses to Neighborhood-Scale, Professional & Personal Service. Commercial and office uses within Genoa Township should meet the convenience needs of Township residents, be neighborhood-oriented and pedestrian-friendly, and be limited to areas currently zoned or grandfathered for such use. Included in the review process for neighborhood-scale uses should be criteria related to building footprint as well as special consideration given to: hours of operation, noise generation, use, lighting, and pedestrian/bike access.

B. Uphold Compliance with the Comprehensive Plan

When an application proposes an amendment to the Zoning Map, a review for consistency with the recommendations of the Comprehensive Plan shall be performed. If the proposed amendment is in conflict with the Comprehensive Plan, the applicant shall address the conflict(s) by:

1. Identifying any changed circumstances since the Plan was adopted; and

2. Providing a rationale that supports the conflicting elements of the proposed amendment.

When an application proposes amendment of the Zoning Resolution, a review for consistency with the recommendations of the Comprehensive Plan shall be performed and the results of such recommendation shall be included in any action by the Zoning Commission and set forth in its recommendation to the Genoa Township Board of Trustees. The Board of Trustees shall also conduct a similar review in the aforementioned situations. In the event of a conflict between the Comprehensive Plan and the Zoning Resolution, in accordance with Ohio case law, the Zoning Resolution shall control.

III. Recommend Reuse or Reinvestment in Lands with Such Potential

A. Develop Incentives for Residents and Businesses to Maintain their Property

The Board of Trustees may work with the Delaware County Commissioners to form a Community Revitalization Area (CRA) by application to the Ohio Department of Development that could help older qualified neighborhoods by offering property owners tax abatements for making certain improvements to their property. This will help justify regular maintenance and encourage development.

IV. Future Revisions to the Zoning Resolution and Updates to the Comprehensive Plan

A. Zoning Resolution

After adoption of the Comprehensive Plan, the Zoning Commission or the Trustees will begin review of appropriate revisions to the Zoning Resolution within three months. Actions recommended by this Plan are as follows:

1. ~~Perform a comprehensive legal review of the Zoning Resolution and address any inconsistencies or unnecessary redundancies found within the document.~~ **COMPLETED**
2. ~~Evaluate whether or not all straight zoned commercial properties and/or industrial properties, which are properties located within zoning districts that do not require final development plans be approved by the Zoning Commission and Board of Trustees, can and should be re-zoned into planned districts, which would require final development plan approval, instead.~~ **COMPLETED**
3. Perform a general review of the definitions in Article 4, especially use classification and use-related definitions (such as, but not limited to, industrial and light industrial), and add, revise, and/or reclassify definitions as needed.
4. Incorporate tables which clearly indicate which uses are; permitted, conditional, or prohibited in each zoning district.
5. ~~Update agricultural regulations to ensure consistency with the Ohio Revised Code and case law, especially in regards to agritourism.~~ **COMPLETED**

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6. Establish standards for Neighborhood-Scale Commercial developments, such as; tenant size, maximum permitted square footage, permitted uses, and drive-thru regulations.
7. ~~Review open space requirements and/or add perimeter buffering requirements for developments.~~ **COMPLETED**
8. Delete on-street parking restrictions and any other currently regulated items that cannot be enforced under the Zoning Resolution.
9. ~~Review the Planned Rural Residential Conservation District (PRRCD) and the Lower Density Planned Residential District (PRD-V).~~ **COMPLETED**
10. Review Article 17, Special and Miscellaneous Uses, to clearly distinguish Conditional Uses and their standards from uses not requiring Conditional Use approval.
11. ~~Review Article 18, Sign Standards, to ensure it is content neutral and complies with the United States' Supreme Court decision in *Reed v. Town of Gilbert, Arizona* (Completed February 2018).~~ **COMPLETED**
12. Evaluate minimum parking space requirements in Article 19 to ensure developments are not being required to provide more parking spaces than are really needed.
13. ~~Distinguish between, and provide separate processes for, legislative zoning acts, such as map and text amendments, and administrative zoning acts, such as approval of final development plans and final development plan amendments.~~ **COMPLETED**
14. Resolve the dual zoning situation of certain properties located along Freeman Road.
15. Review, and update as needed, the intents and purpose sections of each article to ensure that they adequately describe and legally justify why regulations within said article exist.
16. Standardize the formatting of each zoning district article so that they are consistent with one another.

B. Comprehensive Plan

The Comprehensive Plan shall be reviewed, at a minimum, once every five years to determine if changes are warranted. If issues are specific to one Planning Area, it may be desirable to initiate a planning process that would create an addendum to this document outlining changed or additional recommendations for a specific area.