

ARTICLE 12: PLANNED COMMERCIAL DISTRICT (PCD)

Section 1201: Intent and Purpose

This District is provided in recognition that a mixing of land uses combined with increased densities allows a developer more flexibility in development design and provides more convenience in the location of commercial uses and business services, while still protecting public health, safety, morals, and general welfare. Provisions of this non-residential Zoning District are formulated to achieve harmoniously designed structures upon a well landscaped site, achieving a high degree of pedestrian vehicular separation, all of which shall be compatible with surrounding land Uses. This District is limited to areas served by central sewer wastewater treatment plants operated by the Delaware County Sanitary Engineer and to areas served by a Central Water System and by an adequate transportation network.

1201.01 It is the policy of the Township to permit the creation of Planned Development Districts to:

- A) Preserve and extend the charm and beauty existent in and inherent to the rural residential character of Genoa Township;
- B) Provide the economic and social advantages resulting from an orderly planned use of large parcels of land;
- C) Provide a more useful pattern of Open Space and recreation areas;
- D) Promote development patterns, which preserve and utilize natural topography and geologic features, scenic vistas, trees, and other vegetation, and prevent the disruption of natural drainage patterns;
- E) Promote a more efficient use of land than is generally achieved through conventional development resulting in substantial savings in utility and street extensions; and
- F) Promote development patterns in harmony with land use Density, transportation facilities and community facilities.

1201.02 This Section establishes standards for the Planned Commercial District served by central sanitary sewers and Central Water Systems, or developments utilizing other sewage treatment options approved in the development plan.

Section 1202: Contiguity of Land and Project Ownership

1202.01 All land within a proposed Planned Development shall be Contiguous and shall not be divided into parts by any state or federal limited access highway or by any railroad Right-of-Way.

1202.02 The Planned Development area shall be under contract for purchase by a single entity or owned by a single entity at the time of application. For the purposes of this subsection a single entity includes the following: a married couple; corporation; partnership; or two or more property owners who have entered into a general development plan for a Planned Development.

Section 1203: General Requirements

1203.01 The provisions herein shall apply to all lands zoned in the Planned Commercial District (PCD). Only parcels of at least five (5) acres in size or adjacent to other parcels zoned PCD or under application for Rezoning to PCD that collectively sum five (5) acres or more shall be considered for PCD zoning.

- A) Any Lot or Tract depicted on the Zoning Map as being wholly or partially within the Hoover Reservoir Watershed shall also be subject to the additional provisions established within Article 7 of this Zoning Resolution, the Hoover Watershed Overlay District (HOD). Should these two articles conflict with one another, the requirements of Article 7 shall apply unless otherwise expressly stated within this Resolution.

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- 1203.02 Developments within this District shall be planned as groups having common parking area and common ingress and egress points to reduce the number of potential accident locations at intersections with Thoroughfares.
- A) Planned Commercial Districts having less than twenty (20) acres in area shall have direct access to at least one (1) Arterial Street.
 - B) Planned Commercial Districts of twenty (20) or more acres in area shall have direct access to one (1) Arterial street and one (1) Collector street and/or two (2) access points on an Arterial Street.
- 1203.03 Where the Lot Lines separate a Planned Commercial District from a Residential or Planned Residential District:
- A) There shall be created, at a minimum, an undeveloped green strip of seventy-five (75) feet planted with grass and/or landscaped with the purpose of providing a year-round combination of shrubs and trees; and
 - B) A visual and mechanical barrier, in accordance with Section 2003, shall be provided seventy-five (75) or more feet from said Lot Lines.
- 1203.04 Reserved.
- 1203.05 Reserved.
- 1203.06 Total land occupancy by all Buildings and Impervious Surfaces on a Lot or Tract in this District shall not exceed seventy-five percent (75%) of the area of the said Lot or Tract provided, however, that underground parking structures, the highest portions of which are not more than thirty (30) inches above the level of the centerline of the nearest adjacent Street, shall not be included in computations of land occupancy by Buildings.
- 1203.07 Maximum Gross Floor Area. No Building shall exceed 65,000 square feet in gross Floor Area on a single Lot or Tract. A Commonly Controlled Business Operation shall not exceed usage of 65,000 square feet of gross Floor Area within one or more Buildings on a single Lot or Tract.
- 1203.08 Storm Water Management – all Planned Developments shall have a storm water management plan, approved by the Delaware County Engineer’s Office, if required.
- 1203.09 Parking and Loading Areas
- A) Reserved.
 - B) All automobile parking lots shall be screened from adjoining streets and adjoining residential properties in accordance with Article 20.
 - C) No parking lot shall be closer than twenty-five (25) feet from the edge of the Contiguous Street Right-of-Way in a Planned Commercial District, unless the parking lot is Contiguous to a Residential or Planned Residential District, in which case seventy-five (75) feet shall be the closest distance of the parking lot to the edge of the Contiguous Street Right-of-Way.
- 1203.10 Streets – All Streets, including private Streets, shall conform to specifications as set forth in the Delaware County Subdivision Regulations. Public road improvements in Planned Developments shall require the following:
- A) All Street drainage shall be enclosed;
 - B) Curbs and gutters shall be installed; and
 - C) All Streets shall have a minimum pavement width of twenty-two (22) feet.
- 1203.11 Walkways – All walkways shall be constructed of a suitable, dust free, hard surface material.
- 1203.12 Trees

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- A) The clearing of land shall be kept to a minimum to help preserve the existing natural conditions.
- B) No land shall be cleared of trees more than fifteen (15) feet from the foundation of a proposed Building. An exception to this requirement shall be granted in the case of those trees that should be removed due to malformation, disease, safety hazards, or to the general benefit of surrounding trees. The foregoing shall be considered as a guideline for preservation of the natural environment.
- C) No trees shall be cleared further than five (5) feet from curbs of a parking lot. The foregoing shall be considered as a guideline for preservation of the natural environment.

1203.13 Landscaping – All areas shall be landscaped. The developer shall submit a conceptual landscaping plan to be reviewed as part of the development plan. Each Lot shall be seeded or sodded in accordance with the approved development plan before a Certificate of Zoning Compliance is issued.

Section 1204: Required Conditions for Businesses

No Use shall be approved in a Planned Commercial District until the applicant certifies as part of the Final Development Plan that:

- 1204.01 Activities, excluding parking, shall primarily be conducted within a completely enclosed Building or other appropriate structural element(s) unless otherwise permitted herein.
- 1204.02 Reserved.
- 1204.03 Reserved.
- 1204.04 All premises shall be furnished with all weathered hard surface walks of a material such as bituminous or Portland cement, concrete, wood, tile, terrazzo, or similar material, and, except for parking areas, the grounds shall be planted and landscaped.
- 1204.05 Where the Lot Lines separate this District from a Residential or Planned Residential District, a visual and mechanical barrier, a minimum of five and one-half (5 ½) feet in height, shall be provided along the common Lot Line.
- 1204.06 No emission of toxic or noxious matter, which is injurious to human health, comfort or enjoyment of life and property or to animal or plant life shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the business involved shall be taken.
- 1204.07 The emission of smoke or other air pollutants and dust borne by wind shall be kept to a minimum by appropriate Landscaping, paving, or other acceptable means.
- 1204.08 There will be no emission of odors or odor causing substances which can be detected without the use of instruments at or beyond the Lot Lines.
- 1204.09 There will be no vibrations which can be detected without the use of instruments at or beyond the Lot Lines.
- 1204.10 A Zoning Permit shall be obtained before any Use is initiated, changed, or altered in accordance with Section 115.02.
- 1204.11 Trash, Junk, and litter shall be controlled and stored in containers. Dumpsters, and other similar types of large waste containers which are typically not moved by Manual means, and which are not considered to be a Portable Storage Unit, shall not be permitted in a required Front Yard and shall be enclosed and screened in accordance with Section 2003.

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Section 1205: Permitted Principal Uses

- 1205.01 General office, Retail, or Service Businesses, included but not limited to:
- A) Office facilities for the providing of personal service such as, but not necessarily limited to; insurance agencies, insurance brokers, real estate offices, architects, engineers, law offices, offices of physicians, surgeons, dentists, chiropractors, or podiatrists or other allied medical, dental or optical fields.
 - B) Offices of credit agencies, banks, savings and loan associations, personal credit institutions or loan offices. These businesses may have Drive-Through Facilities, provided any speakers are located at least one hundred (100) feet from any Residential or Planned Residential District boundary.
 - C) Restaurants and Nightclubs. These businesses may have Drive-Through Facilities provided any speakers are located at least two hundred (200) feet from any Residential or Planned Residential District boundary. This distance may be reduced to one hundred (100) feet if the speaker is located on the side of the Building opposite the residential boundary.
- 1205.02 Indoor recreational, athletic, and/or fitness facilities.
- 1205.03 Research and development laboratories.
- 1205.04 Medical Clinics.
- 1205.05 Automobile service stations in accordance with the following:
- A) The selling and dispensing of petroleum fuel primarily to passenger vehicles;
 - B) Accessory Uses as the sale and installation of lubricants, tires, batteries, accessories and supplies, incidental washing and polishing, tune-ups and brake repair;
 - C) No outdoor dismantling, wrecking or storage of automotive vehicles, parts, or accessories shall be permitted; and
 - D) No Outdoor Storage or rental of trucks, trailers, or passenger vehicles shall be permitted.
- 1205.06 Hotels.
- 1205.07 Event Facilities.
- 1205.08 Veterinary or animal hospitals provided that any Building, outside enclosed area, or outside run is a minimum of five hundred (500) feet from any existing Dwelling,
- 1205.09 Clubs.
- 1205.10 Day Care Centers as regulated by Section 1703.
- 1205.11 Religious Establishments as regulated by Section 1706.
- 1205.12 Agriculture exempted from zoning by the Ohio Revised Code per Section 1714.
- 1205.13 Agritourism exempted from zoning by the Ohio Revised Code per Section 1715.
- 1205.14 Farm Markets exempted from zoning by the Ohio Revised Code per Section 1716.
- 1205.15 Public and private utilities as regulated by Section 102.06 and Article 22.
- 1205.16 Governmental Facilities as regulated by Section 102.07.
- 1205.17 Outdoor advertising and Signs as regulated by Section 102.09 and Article 18.
- 1205.18 Greenspace and landscape buffers.

Section 1206: Permitted Accessory Uses

- 1206.01 Accessory Buildings and/or Structures as regulated by Section 1609.
- 1206.02 Portable Storage Units as regulated by Section 1707.
- 1206.03 Off-Street parking and loading spaces as regulated by Article 19.
- 1206.04 Offices, Retail operations, and or Service Businesses incidental and ancillary to the principal Use.
- 1206.05 Fences, Accessory Walls, and Retaining Walls as regulated by Article 20.
- 1206.06 Aerial Antennas and Satellite Dish Antennas as regulated by Section 2203.
- 1206.07 Temporary Uses and Special Events as regulated by Section 1702.
- 1206.08 Incidental manufacturing, processing, packaging, repair, or treatment of goods.
- 1206.09 Agriculture exempted from zoning by the Ohio Revised Code per Section 1714.
- 1206.10 Agritourism exempted from zoning by the Ohio Revised Code per Section 1715.
- 1206.11 Farm Markets exempted from zoning by the Ohio Revised Code per Section 1716.
- 1206.12 Public and private utilities, including telecommunication towers, as regulated by Section 102.06 and Article 22.
- 1206.13 Governmental Facilities as regulated by Section 102.07.
- 1206.14 Outdoor advertising and Signs as regulated by Section 102.09 and Article 18.

Section 1207: Prohibited Uses

- 1207.01 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.
- 1207.02 The Outdoor Storage of inoperable, unlicensed, or unused motor vehicles for a period exceeding seven (7) days is prohibited. Said vehicle, if stored on the premises, shall be enclosed within a Building so as not to be visible from any adjoining property or public road.
- 1207.03 Except as may be specifically permitted by Section 1702, no Mobile Home or mobile home office Structure shall be placed or occupied in this District.
- 1207.04 Sexually Oriented Businesses.
- 1207.05 Residential Care Facilities regardless of the number of residents.
- 1207.06 Agriculture, Agritourism, and Farm Markets not otherwise exempted from zoning by the Ohio Revised Code.

Section 1208: Dimensional Requirements

- 1208.01 Minimum Yard requirements: Front, Side, and Rear Yards shall be designed so that no Building is closer than fifty (50) feet to any other Building. No Buildings shall be located closer than one hundred (100) feet to any District boundary line or one hundred (100) feet from a street Right-of-Way.
- 1208.02 Building Height limits: Unless otherwise permitted in Section 1616, no Building in this District shall exceed thirty-five (35) feet in height. No Aerial Antenna or tower shall be constructed to a height greater than the distance from the center of the base thereof to the nearest property line less ten (10) feet of said Tract.

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Section 1209: Administration and Enforcement

- 1209.01 Pursuant to Ohio Revised Code Section 519.021(A), this District may be permitted upon application and approval of specific and detailed Final Development Plans and all shall require amendments to the official Zoning Map. Approval for Planned Development Rezoning applications may be granted pursuant to ORC 519.12 only when the plan for the project complies with these regulations and promotes the general public health, safety, morals, and general welfare and encourages the efficient use of land and resources, promotes greater efficiency in providing public and utility services and encourages innovation in the planning and building of the development.
- 1209.02 Applications and requests pertinent to the Planned Commercial District, including: Zoning Map Amendments, Preliminary Development Plans, Final Development Plans, Final Development Plan amendments, Divergences, modifications/alterations, subdivisions, Zoning Permits, and Certificates of Compliance, shall be administered in accordance with Article 27.
- 1209.03 Enforcement shall be conducted pursuant to Section 2713.