

ARTICLE 7: HOOVER WATERSHED OVERLAY DISTRICT (HOD)

Section 701: Intent and Purpose

Hoover Reservoir and its associated watershed are important and invaluable assets to Genoa Township as they both comprise a significant portion of the Township, are a primary source of potable water for the region, offer numerous opportunities for recreation, promote tourism, enhance property values, and serve as a vital habitat for a variety of species of native plants and animals, thus positively contributing to the overall wellness of the community. As such, it is within the interests of the public’s health, safety, and general welfare to take proper measures to conserve and protect these unique and critical resources, to the greatest extent possible, from degradation, unbalanced runoff, erosion, excessive sedimentation, pollution of all types, traffic congestion, and over-development.

- 701.01 It is the policy of the Township to permit the creation of the Hoover Watershed Overlay District (HOD) to:
 - A) Establish restrictive regulations that supplement and/or supersede other standards within this Zoning Resolution to protect the water quality, natural character, recreational amenities, riparian zones, and scenic beauty of Hoover Reservoir, its watershed, and its tributaries, while still providing for reasonable economic use of such property within Genoa Township.
 - B) Promote responsible development that is context-sensitive, pedestrian-friendly, and environmentally conscious by incorporating certain best practices regarding land management and stewardship.
 - C) Create opportunities for the public to access, study, and enjoy Hoover Reservoir, its watershed, and associated environs via interconnected greenways and waterways.
 - D) Preserve the remaining agricultural, forested, and/or undeveloped lands within the subject watershed to the greatest extent practical and possible by requiring larger and/or more robust landscape buffers.
 - E) Retain and/or establish viewsheds, vistas, night sky visibility, rural character, and corridors for native vegetation and wildlife to the greatest extent practical by means of protected open space, critical resource protection measures, and stringent lighting controls.
 - F) Restrict land Uses to those which: are comparatively less intense in nature, are relatively clean in operation, service the typical, daily needs of nearby residents, enhance the area’s more passive, bucolic ambiance, and/or are not vehicular-centric.
 - G) Provide for consistency with the Genoa Township Comprehensive Plan.
- 701.02 The standards within this Article shall apply to all Lots or Tracts within Genoa Township that are located wholly or partially within the Hoover Reservoir Watershed, as further depicted on the Zoning Map, regardless of their existing or proposed Zoning District classification. This overlay zoning designation shall not remove or replace any existing zoning designation but rather shall be considered in addition to, and co-existing with, the existing underlying Zoning District.
- 701.03 Unless otherwise stated, the standards within this Article 7 shall supersede and control over any other conflicting standard within this Resolution. Any ambiguity shall be determined by the standards in this Article.

Section 702: Reserved

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Section 703: Design Standards for Planned Developments

- 703.01 The standards within this Section shall apply to all Planned Zoning Districts, whether existing or proposed, within the Hoover Watershed Overlay District (HOD) as well as all existing or proposed Planned Developments within the HOD. The requirements and restrictions of the base District, existing or proposed, shall still apply for any standard not expressly regulated, supplemented, or altered herein. Should a conflict between regulations exist, the stricter requirement shall apply pursuant to Sections 701.03 and 701.04 of this Article.
- 703.02 Permitted Density shall be regulated by the underlying Planned District, existing or proposed.
- 703.03 Open Space areas shall be provided around the entire perimeter of the Lot or Tract. Such areas shall count towards the Planned Development's required Open Space acreage.
- A) Perimeter buffers shall be required as follows:
- 1) A fifty (50) foot wide No Build Zone shall be provided immediately adjacent to any Lot containing Hoover Reservoir and owned by the City of Columbus (or its successors). Measurements shall be taken from the shared Lot Line. Sidewalks, trails, multi-use paths, boardwalks, residential docks, and other such conservation related land uses, or recreational amenities shall be permitted within the No Build Zone.
 - 2) A fifty (50) foot wide Common Open Space and/or Improved Common Open Space buffer shall be provided immediately adjacent to any No Build Zone required by Section 703.03.A.1.
 - 3) A One hundred (100) foot Common Open Space and/or Improved Common Open Space buffer shall be provided along any contiguous Lot or Tract not otherwise regulated by Section 703.03.A.1 above. Measurements shall be taken from the shared Lot Line.
 - 4) A One hundred seventy (170) foot Common Open Space and/or Improved Common Open Space buffer shall be provided along any of the Tract's perimeter street Frontage, measured from the Right-of-Way line.
- B) The perimeter of said area shall be planted as follows:
- 1) A mixture of erosion and pollution control plantings shall be planted at a rate of one (1) native deciduous or evergreen tree and three (3) native shrubs or tall grasses for every fifty (50) feet of site perimeter immediately adjacent to any Lot or Tract containing Hoover Reservoir and owned by the City of Columbus (or its successors).
 - 2) Two (2) native evergreen trees and three (3) native deciduous trees for every fifty (50) feet of linear site perimeter not immediately adjacent to a Lot or Tract not otherwise regulated by Section 703.03.B.1.
 - 2) Required plantings shall be planted in staggered rows or groupings to create a natural looking landscape buffer but shall still generally cover the entire linear perimeter of the Lot or Tract.
 - 3) In sections where existing woody vegetation, which is proven to be healthy, mature, and abundant enough to serve as a visual screen, occurs along the perimeter of the Lot or Tract, said vegetation may be credited towards the above planting requirements. Such sections shall be clearly depicted, defined, and identified on a site or landscape plan drawing.
 - 4) If a designated low-mow or no-mow zone is provided in Common Open Space sections abutting existing and designated Common Open Space areas on immediately adjacent properties, the linear footage shall not count towards the number of plantings required herein thereby resulting in a reduction in the number of required plantings.
 - a) A no-mow zone shall be considered to be any portion of land on which mowing is expressly prohibited to allow for natural biological progression and habitation.

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- b) A low-mow zone shall be considered to be any portion of land on which mowing is expressly restricted to no more than one (1) time every six (6) months.
 - c) To qualify for the reduction, an individual low-mow or no-mow zone shall be at least fifty (50) feet wide by one hundred (100) feet long.
 - d) Such a zone(s) shall be clearly depicted, defined, and identified on a site or landscape plan drawing.
- 5) If a designated low-mow or no-mow zone is provided within the street Frontage buffer required by Section 703.03.A.4, the number of required plantings for said area shall be reduced by fifty percent (50%) subject to the provisions of Sections 703.03.B.4.a through 703.03.B.4.d. Should an odd number of plantings be initially required, the permitted reduction shall round down to the nearest whole number.
- 6) The targeted removal of dead, dying, noxious, and/or invasive vegetation of any type and which is determined to be posing an immediate threat to health, safety, or general welfare in such an area, shall be permitted subject to any established re-vegetation or replacement policies.
- C) No Building or Structure shall be permitted within said area unless approved as part of the Planned Development's Common Open Space.
- D) No Limited Common Element Area shall be permitted within said area.

703.04 Critical Resource Protection.

- A) All Buildings, Structures, Streets, and Lots to be developed shall be set back at least one hundred (100) feet from any Lot containing Hoover Reservoir.
- B) All Buildings, Structures, Streets, and Lot Lines shall be set back at least fifty (50) feet from any Primary Conservation Area(s).
- C) Sidewalks, trails, multi-use paths, boardwalks, residential docks, and other such conservation related land uses, or recreational amenities shall be exempt from the above Setback requirements.
- D) Parking lots, club houses, and other similar facilities shall not be exempt from the above requirements unless said facility is pre-existing. Pre-existing facilities within the Setbacks herein may be improved but not expanded.
- E) No Limited Common Element Area shall be permitted within the required Setbacks for any critical resource protection area herein.

703.05 Reserved.

703.06 Layout.

- A) At least seventy-five percent (75%) of Lots consisting of Dwellings within the Planned Development shall abut a designated Open Space of at least half (1/2) an acre in size. A minimum of sixty (60) continuous linear feet per Lot shall abut a designated Open Space to count towards this requirement.

703.07 Stormwater Management.

- A) Except for underground basins, any basin located closer than fifty (50) feet to a Street Right-of-Way or within a required Common Open Space perimeter buffer or setback, shall be designed as a wet basin or as a naturalized basin unless otherwise restricted or prohibited by the Delaware County Engineer.
- B) Setbacks.

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- 1) All above ground stormwater basins shall be set back a minimum of twenty (20) feet from: Lot Lines, Structures, designated Building Envelopes, and designated Limited Common Element Areas.
- 2) The setback distance shall be measured landward from the maximum one hundred (100) year stormwater surface elevation of the basin during a one hundred (100) year storm.

C) Landscaping.

- 1) All above ground basins shall have a landscape buffer around their entire perimeter. For every one hundred (100) feet of basin perimeter to be buffered, the following minimum quantities and types of plant materials shall be required:
 - a) Two (2) native evergreen trees.
 - b) Two (2) native ornamental trees.
 - c) One (1) native canopy tree.
- 2) All plantings, required or otherwise, shall be installed to not interfere with the proper function of the basin.
 - a) Plantings shall not be installed on any fill embankment or within ten (10) feet of the toe or top of a slope.
 - b) Required plantings which cannot be placed due to functionality restrictions shall be placed as close to the subject basin as possible.

703.08 Parking and Loading Areas.

- A) No parking lot shall be located closer than one hundred seventy (170) feet from the edge of the contiguous Street Right-of-Way.
- B) Parking lots shall be landscaped and screened in accordance with Article 20. In addition, the following shall also be required:
 - 1) One planting island shall be provided every fifteen (15) parking spaces and at the end of each parking row unless an end cap is required. No more than fifteen (15) parking spaces may be situated between planting islands.
 - 2) An end cap planting island shall be provided at the end of each row of parking.
 - 3) The pervious area of all required planting islands shall be at least twelve (12) feet wide and fifteen (15) feet long.
 - 4) Every required parking island shall be planted with one (1) native deciduous tree with a clear trunk at least six (6) feet above finished grade to allow vehicular circulation and visibility beneath the canopy.
- C) Parking lots shall otherwise be designed, provided, and located in accordance with Article 19.

703.09 Streets.

- A) Dead end stub Streets, including full or quasi hammerheads, Y-turns, and the like, as well as Common Access Driveways shall not be permitted unless otherwise required by the Genoa Township Fire Marshal or the Delaware County Engineer. This standard shall not be interpreted to be a prohibition of cul-de-sacs designed to public standards or stub streets being provided to allow for future connection to an immediately adjacent Lot or Tract.

703.10 Sidewalks, Multi-Use Paths, and Trails.

- A) Sidewalks along Streets.
 - 1) New Streets. Sidewalks and/or Multi-Use Paths shall be provided along both sides of any new public or private Street.

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- 2) Existing Streets. Sidewalks and/or Multi-Use Paths shall be provided along any existing public or private Street within or immediately abutting the Planned Development.
 - 3) Whether a sidewalk or Multi-Use Path is installed shall be determined upon the context of the surrounding area. Consistency in the type (sidewalk or Multi-Use Path) with neighboring properties and/or with a pedestrian network already established along the subject Street corridor shall be maintained and continued whenever possible, logical, and safe to do so.
 - 4) Pedestrian Easement Option. When location of sidewalks and/or Multi-Use Paths is not possible or is not logical due to the lack of connections at both ends of the required improvement, easements, where necessary, allowing for future construction by the Township, or its assignee, and public pedestrian access shall be provided in lieu of the above. Easements shall be recorded with the Delaware County Recorder prior to the issuance of a Zoning Permit for any Building within the Planned Development.
- B) A Multi-Use Path or Trail system shall be provided in any required Open Space buffer required by Section 703.04 herein in accordance with Sections 703.10.A.3 and 703.10.A.4 above.
- C) Sidewalks shall be at least four (4) feet wide and constructed of concrete or another similar type of surface.
- D) Multi-Use Paths shall be at least ten (10) feet wide and constructed of asphalt or another similar type of surface.
- E) Trails, where provided, shall be at least four (4) feet wide and may be paved or unpaved but must be visually delineated in some fashion.
- 703.11 Reserved.
- 703.12 Landscaping.
- A) The types and sizes of all required landscape plantings shall adhere to Sections 2005 and 2006 of this Resolution.
 - B) All required landscaping in the Final Development Plan/Amendment shall be maintained. Dead and dying plants shall be replaced with a plant of a similar type no later than the subsequent planting season.
- 703.13 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.
- 703.14 Non-Residential Buildings, Structures, and Surfaces.
- A) Total land occupancy by all non-residential Buildings, Structures, and Impervious Surfaces shall not exceed fifty percent (50%) of the area of the Lot or Tract.
 - B) No Structure shall exceed 20,000 square feet in gross Floor Area. A Commonly Controlled Business Operation shall not exceed usage of 20,000 square feet of gross Floor Area within one or more Structures.
- 703.15 Lighting.
- A) Light fixtures taller than eight (8) feet and intended to service the entire Planned Development shall only be permitted in the following locations:
 - 1) Vehicular access point(s) into the Planned Development;
 - 2) Street intersections within the Planned Development;

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- 3) Where any Street intersects with a pedestrian route, such as, but not necessarily limited to, sidewalks, trails, crosswalks, and Multi-Use Paths;
 - 4) Where any cluster mail kiosks are provided;
 - 5) Adjacent to a recreational amenity, such as, but not necessarily limited to, playground equipment, exercise stations, pools, playfields, game courts, and the like;
 - 6) Adjacent to parking lots; and/or
 - 7) Adjacent to any waste collection area, such as, but not necessarily limited to, dumpsters.
- B) The restrictions established within Section 703.15.A above shall not apply to, or be considered a prohibition of, the installation of architectural lighting, landscape lighting, decorative lighting, and/or Sign lighting.
- C) All lighting pertaining to Signs shall comply with all applicable provisions of Article 18.
- D) All lighting not pertaining to Signs and not otherwise regulated herein shall comply with the applicable provisions of Article 21 if required by the underlying Zoning District.

Section 704: Permitted, Conditional, and Prohibited Uses

- 704.01 Unless otherwise specified elsewhere within this Resolution, the following Principal Uses shall be permitted on any Lot or Tract within the Hoover Watershed Overlay District regardless of the underlying Zoning District:
- A) Religious Establishments as regulated by Section 1706.
 - B) Marinas, sailing/boating clubs, docks (wet or dry), and associated storage.
 - C) Forest and wildlife preserves.
 - D) Projects specifically designed for watershed protection, conservation of soil or water, or for flood control.
 - E) Agriculture as regulated by Section 1714.
 - F) Agritourism as regulated by Section 1715.
 - G) Farm Markets as regulated by Section 1716.
 - H) Public and private utilities as regulated by Section 102.06 and Article 22.
 - I) Governmental Facilities as regulated by Section 102.07.
 - J) Outdoor advertising and Signs as permitted and regulated by Section 102.09 and Article 18.
- 704.02 Unless otherwise specified, the following Principal Uses shall be permitted in all underlying Residential Zoning Districts, excluding Planned Residential Zoning Districts, so long as they are also authorized within the existing or proposed underlying Zoning District applicable to the given Lot or Tract:
- A) All Uses identified within Section 704.01.
 - B) Single-family detached Dwellings exclusive of the land area in Common Access Drive easements.
 - C) Day Care Centers provided in home for six (6) or fewer children who are not members of the immediate resident Family provided the Use is accessory to the Use of the Dwelling as the provider's residence and further provided that such Use qualifies as a Type B family day care home as defined in Ohio Revised Code Section 5104.01.
 - D) Residential Care Facilities for five (5) or fewer residents (excluding caregivers) as regulated by Section 1704.

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704.03 Unless otherwise specified, the following Principal Uses shall be permitted in all underlying Planned Residential Zoning Districts:

A) Without Conservation Development Standards:

- 1) All Uses identified within Section 704.01.
- 2) Single-family detached Dwellings.
- 3) Nonresidential Uses of a cultural, educational, or recreational nature or character to the extent they are designed and intended to serve the residents of the Planned Residential District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located with direct access to Arterial or Collector Streets so as to permit access without burdening residential Streets.
- 4) Open Space, Common Open Space, and Improved Common Open Space.
- 5) Non-exempt Agriculture, Agritourism, and/or Farm Markets pursuant to Section 906.09.

B) With Conservation Development Standards:

- 1) All Uses identified within Section 704.01.
- 2) Single-family detached Dwellings.
- 3) Single-family zero Lot line units, attached twin singles, townhouses, or other similar forms of residential development.
- 4) Common Wall Single-Family Attached Dwellings.
- 5) Nonresidential Uses of a cultural, educational, or recreational nature or character to the extent they are designed and intended to serve the residents of the Planned Residential District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located with direct access to Arterial or Collector Streets so as to permit access without burdening residential Streets.
- 6) Open Space, Common Open Space, and Improved Common Open Space.
- 7) Non-exempt Agriculture, Agritourism, and/or Farm Markets pursuant to Section 906.09.

704.04 Unless otherwise specified, the following Principal Uses shall be permitted in all underlying Non-Residential Zoning Districts so long as they are also authorized within the existing or proposed underlying Zoning District applicable to the given Lot or Tract:

- A) Office of any type, including financial institutions, without Drive-Through Facilities.
- B) Retail of any type without Drive-Through Facilities.
- C) Service Businesses without Drive-Through Facilities, including, but not necessarily limited to barber and beauty shops, pick-up stations for dry cleaning and laundromats, health studios, photo studios, and the like as well as repair shops for shoes, toys, watches, clocks, jewelry, radios, televisions, consumer electronics, lawn care equipment, home improvement tools, and/or other similar types of items.
- D) Restaurants without Drive-Through Facilities or outdoor live entertainment.
- E) Indoor recreational, athletic, and/or fitness facilities.
- F) Medical Clinics.
- G) 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.
- H) Clubs and meeting halls.
- I) Day Care Centers as regulated by Section 1703.

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- J) Outdoor Storage which shall be wholly enclosed by a continuous visual and mechanical barrier eight (8) feet in height. Material so stored shall not extend over or project above such enclosure.
- K) Greenspace and landscape buffers.
- 704.05 Unless otherwise specified, all lawful Accessory Uses permitted within an underlying Zoning District shall continue to be permitted within said District in accordance with any regulations or stipulations set forth within Article 16 and/or the underlying Zoning District applicable to the given Lot or Tract.
- 704.06 Unless otherwise specified, all lawful Conditional Uses permitted within an underlying Zoning District shall continue to be permitted within said District in accordance with Article 3 and any supplemental regulations specified in Article 17 and/or the underlying Zoning District applicable to the given Lot or Tract.
- 704.07 Unless otherwise specified, Uses which are prohibited within an underlying Zoning District applicable to the given Lot or Tract shall remain prohibited within said District.
- 704.08 Unless otherwise specified or controlled by Sections 704.05 or 704.06, Principal Uses which are permitted within an underlying Zoning District applicable to a given Lot or Tract but not expressly listed as permitted within this Section shall be considered prohibited for any Lot or Tract within the Hoover Watershed Overlay District.

Section 705: Administration and Enforcement

- 705.01 All property subject to the Hoover Watershed Overlay District, as further described within Section 701.02, shall be displayed on the Zoning Map and shall be considered to have been zoned with said overlay upon successful adoption of this Article. As such:
 - A) Any Legal Approvals granted within the subject District, other than Rezoning, shall be considered a ministerial act and shall not be considered an amendment to the Genoa Township Zoning Resolution.
 - B) The existence of this overlay District shall not prohibit or preclude the Re-Zoning of a Lot or Tract from one underlying Zoning District to another.
 - C) The Re-Zoning of a Lot or Tract within this overlay District from one underlying Zoning District to another shall not void or invalidate the applicability of the Hoover Watershed Overlay District.
 - D) Re-Zoning of a Lot or Tract within this overlay District from underlying Zoning District to another shall be subject to the applicable provisions of Article 26 and/or Article 27.
 - E) No additional property shall be re-zoned to add the Hoover Watershed Overlay District designation unless it can be demonstrated that it is partially or wholly located within the Hoover Reservoir Watershed. Any such re-zoning shall be subject to the procedures set forth for Zoning Map Amendments in Article 26.
- 705.02 Applications for Zoning Permits and Certificates of Compliance shall be administered in accordance with Section 115 as well as all other applicable provisions of this Resolution.
- 705.03 Applications for Variances, Conditional Uses, and Administrative Appeals shall be administered in accordance with Article 3.
- 705.04 Applications and requests pertaining to Planned Developments shall be administered in accordance with Article 27.
- 705.05 A Zoning Permit shall be required for any subdivision of property within the Hoover Watershed Overlay District which requires the signature of the Genoa Township Zoning Inspector.
- 705.06 Enforcement shall be conducted pursuant to Section 116 as well as any other applicable provisions of this Resolution.