

MEMORANDUM

To: Genoa Township Board of Trustees

Cc: Paul Wise, Township Administrator

From: Joe Shafer, Director of Development and Zoning

Date: September 15, 2026

Subject: Zoning Text Amendment Draft

Pursuant to the directive given to me during the Trustee's regular meeting on August 11, 2026, I have drafted amendments to the Genoa Township Zoning Resolution to address issues raised during the aforementioned meeting, as well as a small handful of other matters (attached). In addition to Board feedback, I also consulted directly with Chairperson Vaughan, Zoning Commission Chairman Leff, and both Deputy Zoning Inspectors. This memorandum provides a brief overview of the contents of the draft amendment.

1. **Article 1 (Administration), Section 104.03** – Language added to make it clear that in areas where a legal approval (ex: development plan) is silent on a matter, the Zoning Resolution still controls. Zoning is already administered in such way; however, this will officially codify it.

Example: The current Zoning Resolution contains provisions for portable storage units which were adopted a few years back. Development plans from before the time that provision was incorporated would not have that language. This additional text prevents an argument from being made that, since that development plan does not contain that language or any language binding it to any future iterations of the Zoning Resolution, the provisions to Portable Storage Units do not apply to that plan.

2. **Article 6 (RR), Section 603.11** – Addresses the recent concern raised regarding driveway setbacks. Initially staff proposed deleting this outright, but after conversing with the Chair of the Zoning Commission and becoming aware of some potential safety concerns, I decided to go a different route. The amendment now restricts the setback to Residential Type Uses, will start the measurement from the intersection of the centerlines as opposed to the contiguous right-of-way, and restricts the provision to public streets only. Contra to previous thought, the current draft does not propose deleting the 2-foot driveway setback.
3. **Article 8 (SR), Section 803.11** – See item #2 above.

4. **Article 9 (PRD):**

- a. **903.06** – Language added to help further deter and prevent the placement of driveways too close to intersections within future PRDs. By requiring this design, it would become more difficult for a driveway to be placed in such location, even by accident or oversight.
- b. **905.03** – See item #2 above.

- 5. **Article 16 (General Standards), Sections 1608.02 and 1608.05** – Correcting a code citation error. Section 117.01.L does not exist. It was deleted as part of the re-working of Section 117 during the 2025-2026 Omnibus Amendment. Correction of this citation was an oversight.
- 6. **Article 18 (Sign Standards), Section 1803.02** – Correcting a code citation error. 1803.01.Q3 was moved as part of the 2025-2026 Omnibus Amendment. Correction of this citation was an oversight.
- 7. **Article 19 (Parking Standards), Section 1904.01** – Adding two words that were mistakenly left out of the final draft of the 2025-2026 Omnibus Amendment to form a complete sentence.
- 8. **Article 21 (Lighting Standards), Section 2102.04** – Adding new language to address a concern raised by Chairman Leff regarding light fixtures being placed atop entry features, especially when such items are located directly across the street of existing homes that look directly towards these lights. The proposed language incorporates downward facing lighting provisions that we already have elsewhere in the Zoning Resolution.
- 9. **Article 24 (Portable Storage Units), Section 2405.01** – Adding language that exempts such units placed otherwise legally placed on property for a period of three or fewer days from having to obtain a zoning permit. This is a resident-friendly provision and prevents individuals who may be using such units while moving into a new home (especially over the weekend) from having to obtain a permit. In such situations, by the time staff would be able to investigate the matter, the unit will likely be gone anyway leaving us with no evidence or anything to enforce.
- 10. **Appendix, History of Genoa Township Zoning & Planning** – Deletion of this entire section is proposed as it is unnecessary within the Zoning Resolution. Staff will keep this information on hand internally. Furthermore, keeping it separate from the Zoning Resolution allows staff to update it as needed without having to go through the required text amendment process.

Should the Board of Trustees initiate the amendment this evening (September 23), there would be enough time to schedule the public hearing with the Zoning Commission for their regular meeting date and advertise the hearing; however, it will be too late to get it on Delaware County Regional Planning Commission's meeting agenda. In fact, DCRPCs regular meeting in September occurred a week earlier than normal, on September 17, due to the Delaware County Fair and Jug Day, being scheduled on its regular meeting night (September 24). By law, the Zoning Commission cannot vote on the application until a recommendation by DCRPC has been received, so while the Zoning Commission could open the hearing on October 14 (if the Board initiates on 9/23), they won't be able to vote on it until recommendation is received. That would presumably happen at DCRPCs October 29 meeting, meaning the Commission would not be able to vote on the matter until their regular meeting on November 9, 2026. The Trustees would then have to acknowledge receipt of the Zoning Commission's recommendation, per law, and then schedule and advertise a public hearing of their own. It may require a special meeting or two, but if there are no further delays, it is possible the Trustees might be able to take a final vote on the amendment in late December.

-END-

DRAFT ZC ____-__
GENOA TOWNSHIP ZONING TEXT AMENDMENT
INITIATED: XX/XX/XXXX
REVISED: XX/XX/XXXX

ZONING RESOLUTION FOR GENOA TOWNSHIP
DELAWARE COUNTY, OHIO

WHEREAS, the Board of Trustees of Genoa Township, Delaware County, Ohio (the Board) has deemed it necessary to promote the public health, safety, morals, and general welfare of the residents of said Township (the Township); and,

WHEREAS, in accordance with Ohio Revised Code Section 519.04 and 519.13, five (5) persons have been duly appointed by the Board to serve as a Zoning Commission for the Township, and five (5) other persons have been duly appointed by the Board to serve as a Board of Zoning Appeals for the Township; and,

WHEREAS, Zoning Resolutions for the building and land use within the unincorporated territory of the Township were adopted in 1951 (East) and 1956 (West) in accordance with Section 519 and related sections of the Ohio Revised Code; were amended in 1969 and 1971, respectively, and were thereafter merged into a singular Zoning Resolution, on October 20, 1987, effective November 19, 1987, and subsequently amended on numerous occasions thereafter; and,

WHEREAS, the Board adopted a Comprehensive Plan in 1999 and subsequently updated and revised said Plan in 2008, 2009, 2016, 2019, and 2023; and,

WHEREAS, the Board has amended this Zoning Resolution on numerous occasions since 1999 in accordance with said Plan per Ohio Revised Code 519.02; and,

WHEREAS, the Board most recently adopted amendments to the May 20, 2023, Zoning Resolution under the authority of, and in accordance with, the provisions of the Ohio Revised Code, with said amendments becoming effective: May 14, 2026; and,

WHEREAS, the Zoning Commission has recommended revisions of the Genoa Township Zoning Resolution on _____, and has submitted such amendments to the Board under authority of, and in accordance with, the provisions of Section 519.12 of the Ohio Revised Code; and,

THEREFORE, the Board adopts amendments to this Zoning Resolution under the authority of, and in accordance with the provisions of the Ohio Revised Code, with said amendments becoming effective: _____.

FURTHERMORE, all resolutions or parts of resolutions in conflict with this Zoning Resolution or inconsistent with provisions of this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

APPROVED BY:

Genoa Township Board of Trustees

SECTION 1. Revisions in this document will appear as follows: ~~struck-out~~ for items removed and underlined for items added.

SECTION 2. Genoa Township Zoning Resolution, Article 1 (Administration), Section 104 (Interpretation) is hereby amended as follows:

...

104.03 In instances where a Legal Approval is silent or ambiguous, this Zoning Resolution shall control.

...

SECTION 3. Genoa Township Zoning Resolution, Article 6 (Rural Residential District), Section 603 (Dimensional Requirements) is hereby amended as follows:

...

603.11 Parking and Driveways.

- A) Parking activities, including spaces, drive aisles, and loading areas, shall comply with Article 19 unless otherwise specified.
- B) All driveways or pavement shall have a Setback of no less than two (2) feet from the Lot Line.
- C) All sideload garages shall have a turning pad of no less than twenty-four (24) feet.
- D) No Residential Type Use driveway shall be located so that it enters a Street within forty (40) feet of the intersection of the ~~edge of the Contiguous Right-of-Way~~centerlines of any two (2) public Streets.
- E) Driveways within this District shall not be subject to the restrictions of 1903.04.

...

SECTION 4. Genoa Township Zoning Resolution, Article 8 (Suburban Residential District), Section 803 (Dimensional Requirements) is hereby amended as follows:

...

803.11 Parking and Driveways.

- A) Parking activities, including spaces, drive aisles, and loading areas, shall comply with Article 19 unless otherwise specified.
- B) All driveways or pavement shall have a Setback of no less than two (2) feet from the Lot Line.
- C) All sideload garages shall have a turning pad of no less than twenty-four (24) feet.
- D) No Residential Type Use driveway shall be located so that it enters a Street within forty (40) feet of the intersection of the ~~edge of the Contiguous Right-of-Way~~centerlines of any two (2) public Streets.

- E) All driveways and parking areas shall be hard-surfaced with asphaltic concrete, Portland cement concrete pavement, or permeable pavement.

...

SECTION 5. Genoa Township Zoning Resolution, Article 9 (Planned Residential District), Sections 903 (General Requirements) and 905 (Dimensional Requirements) are hereby amended as follows:

...

903.06 ~~Reserved~~Lot/Building Envelope Placement.

A) Lots and Building Envelopes shall not be placed adjacent to the intersection of the centerlines of two (2) public Streets.

...

905.03 Dimension Requirements for all Developments.

A) Driveways:

- 1) All driveways or pavement shall have a Setback of no less than two (2) feet from the Lot Line.
- 2) All sideload garages shall have a turning pad of no less than twenty-four (24) feet.
- 3) No Residential Type Use driveway shall be located so that it enters a Street within forty (40) feet of the intersection of the ~~edge of the Contiguous Right-of-Way~~centerlines of any two (2) public Streets.
- 4) All driveways and parking areas shall be hard-surfaced with asphaltic concrete, Portland cement concrete, permeable pavers, or another similar type of hard, non-gravel surface.

...

SECTION 6. Genoa Township Zoning Resolution, Article 16 (General Standards), Section 1608 (Architectural Feature Exceptions) is hereby amended as follows:

...

1608.02 The following architectural features not otherwise exempt under Article 1, Section 117.01.L or regulated herein this section may extend into the required Front and Rear Yard a maximum of ten (10) feet: Decks, steps, patios, Awnings, balconies, chimneys, and other similar types of incidental Structures which are Attached to, or located immediately adjacent to, a Principal Building . This standard shall similarly apply to non-retaining walls (seating or otherwise), piers, outdoor kitchens, grills, fire pits, and other such improvements not meeting the definition of a Building associated with such

features. Detached iterations of the aforementioned not otherwise specified herein shall comply with the provisions of Section 1603 and/or 1609.

...

1608.05 The maximum permitted Height of an architectural feature or incidental Structures Attached to, or immediately adjacent to, a Principal Building and not otherwise exempted under Article 1 Section 117.~~01.L~~, shall be the maximum Principal Building Height established for the Zoning District in which the feature is located, subject to Section 1616 of this Article. Iterations of the aforementioned not otherwise specified herein shall comply with the provisions of Section 1603 and/or 1609.

...

SECTION 7. Genoa Township Zoning Resolution, Article 18 (Sign Standards), Section1803 (Authorized Signs for All Zoning Districts) is hereby amended as follows:

...

1803.02 Temporary Signs are authorized in every Zoning District without a Zoning Permit unless otherwise restricted or prohibited by Section 1811, Table of Permitted Sign Types by Zoning District.

...

- 4) Such Signs shall be permitted to be erected without a Zoning Permit for no more than ninety (90) consecutive days. Small Temporary Signs erected for more than ninety (90) consecutive days shall require a Zoning Permit and shall be subject to the restrictions set forth under Section ~~1803.01.Q3~~1803.02.C below.

...

C) All Temporary Signs that are not exempt from permit, as identified above, shall adhere to the following:

- 1) Maximum number permitted: One (1) per each Lot or each Limited Common Element Area, which must be situated on said Lot or Limited Common Element Area, and one (1) per Tract.
 - a) Small Temporary Signs not requiring a Zoning Permit pursuant to Section ~~1803.01.Q~~1803.02 shall not count towards this requirement.

...

SECTION 8. Genoa Township Zoning Resolution, Article 19 (Parking Standards), Section 1904 (Parking Space Requirements) is hereby amended as follows:

...

1904.01 All Non-Residential Type Uses:

...

D) For the purposes of this Article only, Floor Area shall not include:

- 1) Any Data Center or Warehouse space not regularly occupied by employees.
- 2) Garages, bays, or carport space not regularly occupied by employees.

...

SECTION 9. Genoa Township Zoning Resolution, Article 21 (Lighting Standards), Section 2102 (General Requirements) is hereby amended as follows:

...

2102.04 Architectural lighting intended to highlight architectural features, including lighting installed on or on top of Entry Features, Fences, gates, masonry piers, Signs, Structures, and walls:

A) Architectural lighting shall not allow the source of light to be directly viewed from any Lot Line's standard line of sight.

B) Architectural lighting shall be equipped with lenses that are flat. Such lenses shall face downwards, parallel with the ground, or upwards so that, in either case, light is primarily projected in a vertical direction.

BC) Architectural lighting shall be permitted to have colors or shades that change, but shall not be permitted to flash, change, move, and/or pulse in a rapid manner.

...

SECTION 10. Genoa Township Zoning Resolution, Article 24 (Temporary Uses and Structures), Section 2405 (Portable Storage Units) is hereby amended as follows:

...

2405.01 Portable Storage Units may be permitted as a Temporary Use in any Zoning District in conjunction within, and to exceed the times listed for, the ~~following activities below.~~ Portable Storage Units placed for period of three (3) or fewer days shall not require a Zoning Permit.

...

SECTION 11. Genoa Township Zoning Appendix (History of Genoa Township Zoning & Planning) is hereby deleted in its entirety:

~~HISTORY OF GENOA TOWNSHIP ZONING & PLANNING~~

~~The following history was compiled based on noteworthy historical information available to Genoa Township and is accurate to the best of our knowledge:~~

~~Genoa Township's initial zoning resolution was adopted by the Township Trustees on October 22, 1951, but only regulated the use of properties located east of Tussie Street Road. This code contained only one (1) zoning district for residential development but laid out the basic framework for the Township's Zoning Commission (ZC) and Board of Zoning Appeals (BZA) as they exist today. The Resolution was upheld by residents during a General Election of registered voters held on November 6, 1951. This resolution was later amended on November 15, 1969, to update references to the Ohio Revised Code (ORC), expand the minimum floor area requirements, clarified frontage requirements, clarified responsibilities of the BZA, and defined an advertising advice and average grade.~~

~~A zoning resolution was adopted in 1956 for properties located west of Tussie Street Road in Genoa Township. This resolution provided three zoning districts being a residential, commercial, and industrial district. This resolution was later amended on November 2, 1971, for much of the same purposes as specified above for the eastern code. The 1971 amendments also separated the commercial zoning district into eight (8) separate districts.~~

~~On April 16, 1982, two graduate students with The Ohio State University (OSU) City and Regional Planning Program completed an issue paper on "Revision of the Genoa Township Zoning Code(s)." The authors recommended revising the code(s) with the potential for a combined Zoning Resolution for Genoa Township. A class of college students in the School of Natural Resources at The Ohio State University (OSU) voluntarily completed "A Land Use Study of Genoa Township" during their Winter Quarter of classes in 1984 under the direction of Dr. Disinger. The report was published on March 12, 1984.~~

~~On May 2, 1985, the Genoa Township Board of Trustees contracted with OSU's School of Natural Resources to complete a survey of citizens regarding the future of land use and zoning in the Township. A report from the survey was published on July 30, 1987. In conjunction with this report, in June 1987 the Zoning Commission published the Township's first master plan, titled "Genoa Township Recommended Land Use Policy Statements."~~

~~A revised Zoning Resolution was adopted on October 20, 1987 combining the east and west codes and establishing the following zoning districts: Critical Resource Area (CRA), Flood Plain (FP), Agricultural Residential (AR), Rural Residential (RR), Suburban Residential (SR), Planned Residential (PD-1), Community Business (CB), Planned Commercial Office (PD-2) and Planned Industrial Warehouse (PD-3). The Zoning Map was also updated to reflect these new districts when it took effect on November 19, 1987.~~

~~The Zoning Resolution was thereafter amended on the following effective dates with the following notable amendments:~~

- ~~● June 21, 1991 established CRA maximum density of 1 unit per acre.~~

- ~~November 15, 1991—established Community Facilities (CF) District, further restricted antennas (including cellular towers), applied conditional use standards for common access driveways, added regulations for access drives and appurtenant structures.~~
- ~~February 21, 1992—amended RR on zoning map to SR south of Freeman Road, west of State Route 3 over to Orange Township.~~
- ~~June 26, 1992—deleted AR district.~~
- ~~September 10, 1992—changes to the Community Facilities District (telecommunication towers changes to a conditional use from a permitted use)~~
- ~~June 15, 1994—amendments to Home Occupation standards~~
- ~~October 27, 1995—added provision for “Off-Site Common Open Spaces”~~

~~In March 1996 separate groups of OSU graduate students from the City and Regional Planning Program voluntarily developed a “Socioeconomic Characteristics of Genoa Township” report, a “Genoa Township Vision Plan—2010: Managing the Rural Landscape” report and an “Infrastructure Report for Genoa Township.”~~

~~After contracting with the Township Trustees to update the master plan, consultants Frank Elmer Associates published a “Genoa Township Comprehensive Plan” in February 1997. On June 1, 1998, consultants Burns, Bertsch & Harris published a “Genoa Township Comprehensive Plan.” Neither plan was adopted by the Township Trustees.~~

~~The Zoning Resolution was thereafter amended on the following effective dates with the following notable amendments:~~

- ~~December 12, 1997—changes to fence and deck regulations.~~
- ~~August 28, 1998—amendments to the CF District.~~

~~After Burns, Bertsch & Harris published a copy of the “Genoa Township Comprehensive Plan” the Township Trustees established a steering committee of Township residents to review the document and offer guidance to the Board. The steering committee then prepared a “Genoa Township Comprehensive Plan” that was adopted by the Township Trustees on January 17, 1999. The Zoning Resolution was thereafter amended on the following effective dates with the following notable amendments:~~

- ~~February 17, 1999 (recorded)~~
- ~~February 24, 2000 (recorded)~~
- ~~December 15, 2000—CF district made a “Planned District”~~
- ~~February 2, 2002 (recorded)—residential driveway setback requirements added.~~
- ~~April 26, 2003—Application for Zoning Permit section rewritten~~
- ~~December 12, 2003—Added Planned Rural Residential Conservation District (PRRCD)~~
- ~~February 24, 2007—Added Divergence review criteria to Planned Development Standards.~~
- ~~January 26, 2008—Added new Section to provide criteria for BZA permitted principal use determination (substantially similar).~~
- ~~April 11, 2008—Added Trustee review to PRRCD.~~
- ~~July 10, 2009—Reorganized code sections to be more user friendly.~~

~~After the Township Trustees contracted with Delaware County Regional Planning Commission (DCRPC), a “Genoa Township Comprehensive Plan” was drafted in 2004. This plan was not~~

~~adopted by the Township Trustees. In 2006 the Township Trustees established a new steering committee of Township residents to update the 1999 Comprehensive Plan. The Board then contracted with Otterbein College's Department of Communication to survey residents. On September 17, 2007, the College published the "Genoa Voices Report." The Board adopted the "Genoa Township Comprehensive Plan: 2008" on December 10, 2008. The Board then amended and adopted the "Genoa Township Comprehensive Plan: 2009" on December 10, 2009, to amend land use recommendations for lands east of the Hoover Reservoir as a result of additional public meetings.~~

~~The Zoning Resolution was thereafter amended on the following effective dates with the following notable amendments:~~

- ~~• May 1, 2010 — Corrected errors from the previously adopted version.~~
- ~~• June 26, 2011 — Implemented recommendations from the 2009 Comprehensive Plan.~~
- ~~• February 9, 2013 — Modified corner lot setbacks, allowed patios at the same setbacks as decks, modified accessory building standards and removed requirement for attached garage in RR district.~~

~~The Genoa Township Comprehensive Plan was updated on December 1, 2016. The Zoning Resolution was thereafter amended on the following effective dates with the following notable amendments:~~

- ~~• March 3, 2018 — Complete revision of sign regulations to comply with the *Reed v. Gilbert* U.S. Supreme Court decision as well as modification, addition, and/or deletion of various definitions pertaining to said revision.~~

~~The 2016 Genoa Township Comprehensive Plan was further revised on January 7, 2019. The Zoning Resolution was thereafter amended on the following effective dates with the following notable amendments:~~

- ~~• February 5, 2019 — Revised regulations and terms pertaining to the Planned Residential District (PRD), deleted the Low-Density Planned Residential Development District (PRD-V), and added landscaping standards.~~
- ~~• October 31, 2020 — Corrected several legal discrepancies (agriculture, agritourism, Farm Markets, public utilities, residential care facilities, quorums); added clear regulations for Sexually Oriented Businesses; deleted the Planned Rural Residential Conservation Development (PRRCD) zoning district; added a new article with detailed provisions for planned development procedures (Article 27), clarified administrative processes, and made numerous other revisions to: reflect practices, address frequent enforcement issues, and provide for consistency and clarity.~~
- ~~• October 20, 2022 — Creation of the Hoover Watershed Overlay District and clarification regarding the procedures for developments in the Planned Industrial District (PID).~~

~~The 2016 Genoa Township Comprehensive Plan was once again revised on April 20, 2023. The Zoning Resolution was thereafter amended on the following effective dates with the following notable amendments:~~

- ~~• May 20, 2023 — Revised development densities and the Suburban Residential minimum lot size requirement to align with those recommended in the updated comprehensive plan so~~

~~as to not create a conflict between the two documents and made several other related revisions to provide for consistency.~~

- ~~• May 14, 2026 An omnibus amendment that, amongst other things: overhauled how land uses are classified, defined, permitted, and regulated; established specific, prescriptive standards for all land uses classified as conditional uses; modernized parking standards; replaced current landscaping requirements with a new, more in depth set of requirements; addressed numerous matters pertaining to zoning authority, administration, enforcement challenges, and legal matters; improved consistency throughout the document in terms of citations, terminology, standards and verbiage, including intents and purposes sections; standardized the structure and flow of the document; relocated regulations pertaining to fences, swimming pools, and other such items to General Standards and those pertaining to agriculture and temporary uses to their own articles; added provisions pertaining to cluster box (mail) units as well to address new technologies, such as battery energy storage systems, data centers, and solar farms; and provided for greater clarification regarding when zoning permits are/are not required.~~

SECTION 12. Ministerial Revisions.

Adoption of these amendments shall also include any revisions to non-regulatory information or formatting that appears within the Genoa Township Zoning Resolution necessary for proper navigation and administration of the document, including dates, headers, footers, titles, tables of contents, page numbers, and the like.

SECTION 13. Severability.

If any chapter, section, subsection, paragraph, sentence or phrase of this Resolution is for any reason declared invalid by court of competent jurisdiction, such decision shall not affect the validity of the Resolution as a whole or any section part thereof other than the section or part thereof so declared to be invalid.

SECTION 14. Repealer

Any ordinance, chapter, section, subsection, paragraph, sentence, or phrase of any resolution conflicting with the provisions of this resolution shall and the same is hereby repealed to the extent of such conflict.