

ARTICLE 14: PLANNED COMMUNITY FACILITIES DISTRICT (PCF)

Section 1401: Intent and Purpose

The purpose of the Planned Community Facilities District is to provide zoning classification for governmental, civic, recreational, and similar community facilities in proper location and extent so as to promote the general safety, convenience, comfort, and welfare. The Planned Community Facilities District encourages the use of existing facilities and regulates the location of new facilities to ensure their proper functioning in consideration of traffic, access and general compatibility and to minimize the adverse visual effects on surrounding areas through design and Landscaping standards. The District is designed to protect community facilities and institutions from the encroachment of certain other Uses and to make sure Uses are compatible with adjoining residential Uses.

1401.01 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.

1401.02 This Section establishes standards for the Planned Community Facilities District in areas served by central sanitary sewers and Central Water Systems, or developments utilizing other sewage treatment options approved in the development plan.

1401.03 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 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.

Section 1402: Contiguity of Land and Project Ownership

1402.01 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.

1402.02 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 husband and wife; corporation; partnership; or two or more property owners who have entered into a general development plan for a Planned Development.

Section 1403: Permitted Principal Uses

1403.01 Village, Township, County, State, and Federal Government Buildings for administrative functions and use by the general public.

1403.02 Art galleries, libraries, museums, memorials, monuments, and other public facilities.

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- 1403.03 Primary and secondary public, private, or parochial schools; Nursery schools and other educational facilities.
- 1403.04 General and special hospitals and clinics, convalescent centers, institutions for the care of children or senior citizens.
- 1403.05 Senior citizen retirement, residential and congregate care centers.
- 1403.06 Churches and places of worship as regulated by Section 1706.
- 1403.07 Government Recreational Facilities such as parks, recreation fields and playgrounds, lakes, nature preserves, cemeteries, and similar Open Space facilities, and
- 1403.08 Private Recreational Facilities as regulated by the following:
- A) Minimum lot area for an indoor private recreational facility shall be no less than five (5) acres.
 - B) Setbacks:
 - 1) Front: 100 feet for structures and 75 feet for parking;
 - 2) Rear: 75 feet; and
 - 3) Side: 75 feet.
 - C) Driveways and parking areas shall be at least fifty (50) feet from any adjacent parcels where residences are a permitted Use.
 - D) Where a landscaped screen is not already required adjacent to another parcel, one (1) deciduous tree shall be provided for every forty (40) feet of parking lot boundary and loading/unloading area, plus a three (3) foot average height continuous planting, hedge, Fence, Accessory Wall, or earth mound. The same parking lot perimeter screening shall also be provided adjacent to the public Right-of-Way. At least one (1) tree per five thousand (5,000) square feet of parking area shall be provided within the parking lot.
 - E) Lighting - No exterior lighting shall be positioned so as to extend glare on adjacent property or public Right-of-Way.
 - F) Limitation on Use - All activities shall be conducted entirely within an enclosed Building.
 - G) Parking - All such Uses shall provide the total number of spaces required of the specific combination of recreation facilities provided, based on the following:
 - 1) Auditoriums, arenas, stadiums, and gymnasiums: One (1) space for every four (4) seats capacity;
 - 2) Recreation centers: One (1) space for every two hundred fifty (250) square feet of floor space except those designed for use exclusively by senior citizens, or youth under age sixteen (16), in which case there shall be one (1) space for every seven hundred fifty (750) square feet;
 - 3) Skating rinks: One (1) space per three hundred (300) square feet of gross Floor Area;
 - 4) Swimming Pools: one (1) space for every seventy-five (75) square feet of water surface;
 - 5) Tennis, racquetball and handball courts: Four (4) spaces for each playing court; and
 - 6) All recreational Use shall provide, in addition to the above standards, one (1) space for every two (2) employees on the largest work shift.
 - H) Accesses and Traffic Impact - Access shall be from an arterial street or commercial collector or shall be provided in a manner that does not cause heavy traffic on residential streets.

Section 1404: Permitted Accessory Uses

- 1404.01 Accessory Uses, Accessory Buildings, or other Accessory Structures as defined herein customarily incidental to any previously stated permitted Use, including smaller Structures such as pump stations.
- 1404.02 Bulletin Boards and Signs as regulated by Article 18.
- 1404.03 Residences for custodians or guards.
- 1404.04 Internal food service operated to accommodate the permitted Principal Use without any external advertising or signage.

Section 1405: Conditional Uses – None

Section 1406: General Requirements

No Certificate of Zoning Compliance shall be issued in a Planned Community Facilities District until the applicant shall have certified in their development plan that:

- 1406.01 The proposed Buildings or Use shall be located on a major arterial or collector street so as to generate a minimum of traffic on local streets. Elementary schools and playgrounds or parks intended for neighborhood use may, however, be located on local streets.
- 1406.02 The proposed Buildings or Use shall be located properly in accordance with this Article.
- 1406.03 The location, design, and operation of the Community Facility shall not impose undue adverse impacts on surrounding residents.
- 1406.04 One or more Buildings or permitted Uses may be placed on a Lot, however the maximum square feet of first Floor Area for all Buildings on a site shall be determined by the ratio of: Maximum first floor Building area in square feet = lot size in acres x 7,500 sq. ft.
- 1406.05 If multiple Buildings are constructed on a site there shall be a minimum of twenty (20) feet separating them.
- 1406.06 The maximum height for any Structure in this District with a 6/12 roof pitch or greater shall not exceed thirty-five (35) feet, with less than a 6/12 roof pitch, thirty (30) feet.
- 1406.07 Parking accommodations and loading areas shall be provided pursuant to a layout plan designed by the applicant showing traffic movement, ingress and egress, traffic control points, the number and size of parking spaces, and service areas. All parking and loading areas shall conform to the requirements of Article 19.
 - A) Planned Community Facilities Districts less than twenty (20) or more acres in area shall have direct access to one (1) arterial street.
 - B) Planned Community Facilities Districts of twenty (20) or more acres in area shall have direct access to one (1) arterial street and to one (1) collector street and/or two (2) access points on an arterial street.
- 1406.08 Parking areas shall be adequately lighted. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any adjoining property or upon any public street.
- 1406.09 Applicant shall submit a letter from the Genoa Township Fire Chief certifying that all applicable fire codes have been met and that the equipment of the Genoa Township Fire Department as well as that of those departments which provide mutual aid to the township are able to maneuver throughout the site.
- 1406.10 All premises shall be furnished with all weather 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.
- 1406.11 All Signs shall conform to the requirements of Article 18.

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- 1406.12 At least forty percent (40%) of the gross acreage shall be reserved as Open Space, as defined herein. In computing the amount of Open Space, entrance features, road Rights-of-Way of all types, paved vehicular areas including parking areas and driveways shall be excluded.
- 1406.13 Storm Water Management – all site plans must have a storm water management plan, approved by the Delaware County Engineer’s Office, with the improvements constructed before a Zoning Permit will be issued for construction of Buildings.
- 1406.14 Parking and Loading Areas
- A) The overnight parking of automobiles and other vehicles on private or public streets within a Planned Development is prohibited.
 - B) All automobile parking lots shall be screened from adjoining streets and adjoining residential properties in accordance with Article 20.
 - C) Parking spaces and loading areas shall be provided in accordance with Article 19.
- 1406.15 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.
- 1406.16 Walkways –All walkways shall be constructed of a suitable, dust free, hard surface material. Mulch or other similar surfaces may be permitted for walking trails in areas the Zoning Commission feels are appropriate.
- 1406.17 Trees
- 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.
- 1406.18 Landscaping – All nonresidential Use areas shall be landscaped. The developer shall submit a conceptual landscaping plan to be reviewed as part of the development plan. All areas shall be seeded or sodded in accordance with the approved development plan before a Certificate of Zoning Compliance is issued.

Failure of property owners or users to comply with any of the Required Conditions will be considered a zoning violation appropriate for prosecution under the terms of this Resolution.

Section 1407: Prohibited Uses

- 1407.01 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.
- 1407.02 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.

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1407.03 Except as specifically permitted by Section 1702 and Section 1707 no Mobile Home or mobile office shall be placed or occupied in this District.

1407.04 Adult Entertainment and Adult Entertainment Facilities are prohibited.

Section 1408: Dimensional Requirements

Minimum Setbacks and side and rear yard requirements will be according to the following table; shall be the highest Setback required by Zoning Districts on either side or directly across the street.

	RR	SR	PRD/PRD-V	PCD	LI/PID	CB	PCF
Front Parking	75 feet			30 feet			
Front Driveway	75 feet	50 feet	30 feet	30 feet			
Side Parking & Drive	25 feet			6 feet			
Rear Parking & Drive	75 feet			6 feet			
Building, Front	75 feet			100 feet existing, 50 feet new roads	50 feet		
Building, Side	Note A			25 feet			
Building, Rear	Note B			25 feet			

Note A: Setback equals one-fourth (1/4) of the sum of the height of the Structure plus the length of the wall most nearly parallel to the Side Lot Line. In no case shall the Setback be less than twenty-five (25) feet.

Note B: Setback equals one-fourth (1/4) of the sum of the height of the Structure plus the length of the wall most nearly parallel to the Rear Lot Line. In no case shall the Setback be less than fifty (50) feet.

Section 1409: Application Procedure

In addition to any other procedures set out in this resolution, all applications for amendments to the Zoning Map to rezone lands to this District shall follow the procedures hereinafter set forth:

1409.01 Application - The owner or owners of Lots and lands within the township may request that the Zoning Map be amended to include such tracts in the Planned Development District in accordance with the provisions of this resolution. Ten (10) copies of the application for the proposed amendment shall be submitted to the Zoning Inspector and shall contain at a minimum the following information:

- A) Name, address, and telephone number of applicant;
- B) Date;
- C) Legal description of the property;
- D) Present Use;
- E) Present Zoning District;
- F) Proposed Use;
- G) Proposed zoning District;
- H) Existing Features Plan (Site Analysis). Plans analyzing each sites special features are required for all proposed developments, as they form the basis of the design process for greenway lands, Building location, street alignments, and Lot Lines. Plans shall contain, at a minimum,

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the basic information contained within the Delaware County Regional Planning Commission's Geographic Information System (GIS) including:

- 1) A contour map based upon the most recent U.S. Geological Survey;
- 2) The location of severely constraining elements such as steep slopes (over 25%), wetlands, watercourses, intermittent streams and 100-year floodplain, and all Rights-of-Way and easements;
- 3) Soil boundaries as shown on the USDA Natural Resource Conservation Service maps;
- 4) The location of significant features such as woodlands, tree lines, open fields or meadows, scenic views into or from the site, watershed divides and drainage ways, existing Fences or stone walls, rock outcrops, and existing Structures, roads, tracks and trails, and sites or Buildings of historic importance; and
- 5) An aerial photograph of the site and surrounding area.

Similar data shall be made available regarding adjacent properties and existing developments in order to provide continuity of plans including streets, paths and walkways;

- I) A development plan for the site;
- J) A landscape plan;
- K) A plan for any signage;
- L) A Vicinity Map at a scale approved by the Zoning Commission showing property lines, streets, Structures within five hundred (500) feet of the property's boundary, existing and proposed zoning, and such other items as the Zoning Commission may require;
- M) A site review conducted by Delaware County Regional Planning Commission and their comments;
- N) A traffic study, unless waived by the Zoning Commission;
- O) A list of all property owners, as appearing on the county auditor's current tax list within five hundred (500) feet of, contiguous to, and directly across the street from the parcel(s) proposed to be rezoned, and others that may have a substantial interest in the case. For each of the property owners the applicant shall provide two sets of pre-addressed, stamped letter-size envelopes with postage sufficient to send a notice via first class mail; and
- P) A fee as established by the Township Trustees.

1409.02 Development Plan – Ten (10) copies of the development plan shall be submitted with the application which plan shall include in the text and map form:

- A) The proposed size and location of the Planned Community Facilities District (PCF);
- B) The general development character of the tract including the limitations or controls to be placed on residential and related Uses, with probable Lot sizes, minimum setback requirements and other development features including Landscaping;
- C) Architectural design criteria for all Structures and criteria for proposed Signs with proposed control procedures;
- D) The proposed provisions for water, sanitary sewer and surface drainage with engineering feasibility studies or other evidence of reasonableness;
- E) The proposed traffic patterns showing public and private streets and other transportation facilities, including their relationship to existing conditions, topographically and otherwise;

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- F) A traffic study examining the impact of the development on the existing infrastructure, modifications required to handle the increased traffic and the mechanism proposed to complete the necessary improvements;
- G) The relationship of the proposed development to existing and probable Uses of surrounding areas during the development timetable;
- H) Location of schools, parks, and other facility sites, if any;
- I) The proposed time schedule for development of the site including streets, Buildings, utilities, and other facilities;
- J) If the proposed timetable for development includes developing the land in phases, all phases to be developed after the first, which in no event shall be less than five (5) acres or the whole tract (whichever is smaller), shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases; and
- K) The ability of the applicant to carry forth its plan by control of the land and the engineering feasibility of the plan.
- L) Specific statements of Divergence shall be requested "per plan"; if any deviation from the development standards in Sections 1403 and 1406 or existing county regulations or standards are desired, an applicant making such a request shall specifically and separately list each requested Divergence and submit written development text justifying each deviation from any requirements of this Resolution and demonstrating how each Divergence will advance public interests and the General Purposes of this Zoning Resolution, by promoting one or more of the following purposes:
 - 1) The conservation and protection of the natural resources, scenic areas, wildlife habitat and the historical and unique natural features of the land;
 - 2) The health, safety, morals, and general welfare of the present and future inhabitants of Genoa Township;
 - 3) The quality of life within Genoa Township through the protection of the total environment, the prevention of nuisances and hazards, and the provision of adequate light, air, and convenient access to property;
 - 4) The assurance of the compatibility of land uses which are either adjacent or in proximity to each other;
 - 5) The orderly development of all lands within the Township to its appropriate use; and
 - 6) The most appropriate use of land to facilitate and provide adequate public and private improvements.

Unless a deviation from development standards is specifically approved as a Divergence, the same shall be complied with.

1409.03 Administrative Review - All plats, construction drawings, restrictive covenants and other necessary documents shall be submitted to the Zoning Inspector, or designated technical advisors for administrative review to ensure substantial compliance with the development plan as approved.

Section 1410: Action by Zoning Commission

The Zoning Commission shall hold a public hearing on the Proposed Amendment as provided by Article 26 of this Resolution. Such public hearing shall consider all aspects of the Proposed Amendment including the Final Development Plan as well as any proposed stages and/or units of development. The Zoning Commission shall within thirty (30) days after the final public hearing on such plan recommend the approval or denial of the proposed amendment, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the Delaware County Regional Planning Commission thereon to the Township Trustees.

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Section 1411: Final Development Plan General Requirements

The Final Development Plan submitted shall support the following requirements:

- 1411.01 The physical character of the site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the site from probability of flooding, erosion, subsidence, or slipping of the soil or other dangers, annoyances, or inconveniences.
- 1411.02 Any Divergence from the Zoning Resolution requirements is warranted per plan by the design and amenities incorporated in the development plan and each requested Divergence shall specifically and separately be listed in the Final Development Text in accordance with Section 1413.
- 1411.03 Land surrounding the proposed development can be planned in coordination with the proposed development and that it be compatible in Use.
- 1411.04 The proposed change to a Planned Development District is in conformance with the standards, objectives, and policies of the Genoa Township Comprehensive Plan.
- 1411.05 The site must have direct access to a major street without creating traffic on minor residential streets outside the District.
- 1411.06 Existing and proposed utility services are adequate for the proposed development.
- 1411.07 Each phase of the proposed development, as it is proposed to be completed contains the required parking spaces, landscape and utility areas necessary for creating and sustaining a desirable and suitable environment.
- 1411.08 The proposed Planned Development including all proposed parking spaces, and landscape areas and utilities can be substantially developed, and all construction for public benefit has been approved by the Delaware County Engineer, within three (3) years of the establishment of the Planned Development District unless a different time schedule is set forth in the approved development plan.
- 1411.09 The developer either possesses or has access to sufficient funds for the initiation and completion of the project as described in the Final Development Plan.

Section 1412: Action by the Township Trustees

The Township Trustees shall hold a public hearing on the Final Development Plan as provided by Article 26 of this Resolution. If the application is granted, the area of land involved shall be re-designated as a Planned Development District by resolution, and such resolution shall incorporate the Final Development Plan, including any condition or restriction or safeguard that may be imposed by the Township Trustees. Violations of such conditions, restrictions, or safeguards when made a part of the terms under which the Final Development Plan is approved, shall be deemed a violation of this Resolution and subject to the provisions of Section 116 of this Resolution.

Section 1413: Divergence Review and Conflicts with Other Sections

Because of the special characteristics of Planned Developments, special provisions governing the development of land for this purpose are required. Whenever there is a conflict or difference between the provisions of this Article and those of the other Sections of this Resolution, the provisions of this Article shall prevail. Subjects not covered by this Section shall be governed by the respective provisions found elsewhere in this Resolution. Unless formal variation from development standards is specifically approved as a Divergence, the same shall be complied with. Formal consideration must be requested by an applicant seeking approval of a Divergence to any development standards or requirements in this Zoning Resolution and no Divergence will be approved unless the provisions of this subsection are met in accordance with the terms set forth below.

- 1413.01 The Genoa Township Zoning Commission and the Township Trustees may consider Divergences requested at the time of the filing of a development plan application, which is determined in compliance with all other general development standards listed in the zoning district where the

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proposed development will be occurring. The applicant shall provide written development text in accordance with Sections 1409.02 (L).

- 1413.02 Divergences may be granted “per plan” during a public hearing conducted by either the Genoa Township Zoning Commission, or the Township Trustees conducting a formal review of a development plan. The Township has discretion to determine whether requested Divergences are warranted based on the applicant’s particular case. When acting on a requested Divergence, the Zoning Commission and Township Trustees may approve a Divergence, provided they determine that the benefits, improved arrangement and the design of the proposed development justify the deviation from any requirements of this Resolution and that the proposed Divergence is consistent with the purpose and intent of this Resolution.

Section 1414: Subdivision Plat and Subdivision Regulations

- 1414.01 The uniqueness of each proposal for a Planned Development may require that there be modification from the specifications established in the Subdivision Regulations of Delaware County, Ohio. Modifications may be incorporated into the plan by the developer only after the review of the Delaware County Regional Planning Commission and the County Engineer for consideration by the Zoning Commission and the Township Trustees.

- 1414.02 No Certificate of Zoning Compliance 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:

- A) The final subdivision plat for that portion has been approved by the Delaware County Regional Planning Commission, Delaware County Commissioners and recorded.
- B) 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 and recorded shall be made unless the provisions of Section 1416 are followed.

Section 1415: Certificate of Zoning Compliance

After the Final Development Plan is recorded the Zoning Inspector may issue a Certificate of Zoning Compliance upon payment of the required fees and submission of the detailed Landscaping plan for each platted Lot. The Certificate of Zoning Compliance 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.

Section 1416: Extension or Modification of Final Development Plan

- 1416.01 An extension of the time limit for the approved Final Development Plan may be granted by the Township Trustees without public hearing provided the Township Trustees find that such extension is not in conflict with public interest.

- 1416.02 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. A resolution to accept changes, which may include additional conditions, shall be required.

- 1416.03 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:

- A) A change in the Use or character of the development;
- B) An increase in overall coverage of Structures;
- C) An increase in the Density;

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- D) An increase in the problems of traffic circulation and public utilities;
- E) A reduction in approved Open Space;
- F) A reduction of Off-Street parking and loading space;
- G) A reduction in required pavement widths; or
- H) A reduction of the acreage in the Planned Development.

Section 1417: Enforcement

- 1417.01 The Zoning Inspector shall review, at least once every six (6) months, all Zoning Permits issued and all construction that has taken place within the development area.
- 1417.02 If the Zoning Inspector shall find that the ratio of construction of residential units, non-residential Structures, Open Space and/or recreational facilities substantially differs from the approved phasing program, he shall follow the procedures of Section 116.02 in order to suspend further construction until compliance is achieved.
- 1417.03 If the Zoning Inspector shall find that the developer of a Planned Development has failed to meet the approved development schedule, he shall forward this information to the Township Trustees.