



***Radnor Township Board of Commissioners  
Community Development Standing Committee***

***Rich Booker, Chair***

***Jack Larkin***

***Moira Mulrone***

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June 29, 2020  
6:30 PM

**Agenda**

1. Discussion of proposed Ordinance #2020-11 - Amending the Township Zoning Ordinance to provide setbacks for emergency generators and to provide regulations therefore
2. Discussion of Ordinance #2020-13 – Amending Chapter 280, Zoning, of the Code of the Township of Radnor, revising fence height in the R-4 and R-5 (Residence) Districts
3. Public Participation

***Meeting Notice***

The ***Community Development Committee*** of the Radnor Township Board of Commissioners will hold a meeting on Monday, June 29, 2020 at 6:30 p.m. in the Radnorshire Room of the Township Building, [301 Iven Avenue, Wayne, PA 19087](https://www.radnorpa.gov/301-Iven-Avenue-Wayne-PA-19087). The topics of discussion will be amending the Township Zoning Ordinance to provide setbacks for emergency generators, and amending Chapter 280, Zoning, of the Code of the Township of Radnor, revising fence height in the R-4 and R-5 (Residence) Districts

# Radnor Township



## PROPOSED LEGISLATION

### INTRODUCTION

**FROM:** Kevin W. Kochanski, Community Development Director  
**SUBJECT:** Emergency Generator Ordinance Amendment  
**DATE:** June 12, 2020

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#### **LEGISLATION:**

Ordinance #2020-11 Amending Chapter 280 of the Radnor Code, Zoning Ordinance, adding Section 115.6 establishing installation and setback requirements for Emergency Generators.

#### **LEGISLATIVE HISTORY:**

Current ordinance regulations do not specifically address emergency generators for residential or commercial applications. As such, they have been regulated as an accessory structure; which in most residential applications will allow emergency generators to be placed in close proximity to a side or rear property line. Emergency Generators are mechanical equipment that produce noise and could impact adjacent neighbors. Over recent years, Emergency Generators have gained in popularity and the Department occasionally has received complaints. The proposed regulations will still permit their installation but offer a much greater protection for adjacent neighbors.

Delaware County Planning Commission – Once introduced, the ordinance will be sent to the County Planning Commission for review. Comments are expected prior to the adoption hearing.

Radnor Township Planning Commission – Once introduced, the ordinance will be sent to the Township Planning Commission for review. Comments are expected prior to the adoption hearing.

#### **FISCAL IMPACT:**

This ordinance is not expected to have any impact on the Budget.

#### **RECOMMENDED ACTION:**

The Staff would respectfully recommend that this Ordinance be Introduced on June 22, 2020 and be forwarded to the Township and County Planning Commissions for their review.

Thank you for your consideration.

**ORDINANCE NO. 2020-11**

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA  
AMENDING ARTICLE XX, GENERAL REGULATIONS, OF THE RADNOR  
TOWNSHIP ZONING ORDINANCE BY PROVIDING INSTALLATION AND SETBACK  
REQUIREMENTS FOR EMERGENCY GENERATORS**

*NOW THEREFORE, IT IS HEREBY ENACTED AND ORDAINED* by the Board of Commissioners of Radnor Township, as follows:

**Section 1.** Article XX, Section 115 is hereby amended, adding a new subsection to read as follows:

280-115.6 – Emergency Generators

Permanently installed Emergency Generators shall be permitted as an accessory use in all districts in accordance with the following:

- A. Emergency Generators shall not be located in the front yard.
- B. Emergency Generators shall meet the minimum side and rear yard requirements for principal structures in the district in which they are located. However, in all cases emergency generators shall be at least 15 feet from any property line.
- C. Emergency generators located on residential lots less than 1 acre in size shall be located no further than 10 feet from a side or rear of the principal dwelling unit it is intended to serve.
- D. Emergency generators shall only be used in a power outage or emergency situations for the duration of the event; provided, such are operated within the manufacturer's specifications and with all standard noise-reducing equipment in use, unmodified, and in proper operating condition.
- E. Testing or maintenance cycles of emergency generators shall be in accordance with manufacturer's specifications and for only a short duration between the hours of 10:00 a.m. and 5:00 p.m. Monday through Friday.
- F. Standby generators that are permanently wired into load centers shall be in accordance with, but not limited to, the National Electrical Code, the Pennsylvania Uniform Construction Code, UL and the manufacturer's specifications. Such generators shall require a permit with inspection(s).
- G. Portable standby generators not hard-wired permanently into residential electrical load centers do not require UCC or Township permits.

**Section 2.** Severability. If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such

decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

**Section 3.** Repealer. All ordinances inconsistent herewith are repealed to the extent of such inconsistency.

**Section 4.** Effective Date. This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

**ENACTED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

RADNOR TOWNSHIP

By: \_\_\_\_\_

Name: Jack Larkin

Title: President

ATTEST: \_\_\_\_\_

William M. White, Secretary

# Radnor Township



## PROPOSED LEGISLATION

### INTRODUCTION

**FROM:** Kevin W. Kochanski, Community Development Director  
**SUBJECT:** Fence Amendment  
**DATE:** June 15, 2020

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#### **LEGISLATION:**

Ordinance #2020-13 Amending Chapter 280 of the Radnor Code, Zoning Ordinance, adding Section 109.A(1) amending fence heights in the R-4 and R-5 Residence Zoning Districts in certain situations.

#### **LEGISLATIVE HISTORY:**

Current ordinance regulations limit the height of fences in the R-4 and R-5 district to 4 feet when located in the front yard setback. The Community Development Department responds to several requests a year from residents in these districts that live on corner properties and have frontage on busy roads like Lancaster Avenue and Eagle Road. The residents would like a fence to provide some privacy and buffering from these main roadways, but the 4 foot height limitation does not offer them much relief from the noise and visibility into their properties. Currently, their only options are to live with these disruptive nuisances or apply for relief from the Zoning Hearing Board at considerable cost and time delays.

The proposed ordinance would permit a 6 foot high fence in these districts on any street frontage that does not provide access into the site and where the street is classified as a Major Collector or Arterial. The proposed ordinance would apply to R-4 and R-5 properties that have secondary frontage on the following roads:

Arterials: Lancaster Pike (U.S. Route 30), North Spring Mill Road (Pa. Route 320) and Sproul Road (Pa. Route 320).

Major collectors: Bryn Mawr Avenue, Conestoga Road, County Line Road, Darby Paoli Road, Eagle Road, King of Prussia Road, Matsonford Road, North Wayne Avenue, Radnor Chester Road, South Wayne Avenue, Sugartown Road, and Upper Gulph Road.

Delaware County Planning Commission – Once introduced, the ordinance will be sent to the County Planning Commission for review. Comments are expected prior to the adoption hearing.

Radnor Township Planning Commission – Once introduced, the ordinance will be sent to the Township Planning Commission for review. Comments are expected prior to the adoption hearing.

#### **FISCAL IMPACT:**

This ordinance is not expected to have any impact on the Budget.

#### **RECOMMENDED ACTION:**

The Staff would respectfully recommend that this Ordinance be Introduced on June 22, 2020 and be forwarded to the Township and County Planning Commissions for their review.

Thank you for your consideration.

**ORDINANCE NO. 2020-13**

**RADNOR TOWNSHIP**

**AN ORDINANCE OF RADNOR, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 280, ZONING, OF THE CODE OF THE TOWNSHIP OF RADNOR, REVISING FENCE HEIGHT IN THE R-4 AND R-5 (RESIDENCE) DISTRICTS.**

**P R E A M B L E**

*The Radnor Township Board of Commissioners does hereby ENACT and ORDAIN, as follows:*

**Section 1.**

Article XVIII, Section 280-109, Fences and Walls, subsection A, is amended to add subsection (1) as follows:

- (1) Exceptions – properties located in the R-4 and R-5 Districts that have frontage on more than one street, shall be permitted to erect a fence up to a height of six feet within any front yard provided that no vehicular access is present from that street into the property, and secondly, that the street along which the fence will be installed is classified as either being an Arterial or Major Collector as defined in Chapter 255, Section 27.B(3) of the Township Subdivision and Land Development Ordinance.

**Section 2. Repealer.**

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 3. Severability.**

If any clause, sentence, paragraph, section, subsection, part, or provision of this Ordinance is, for any reason, found to be unconstitutional, illegal, or invalid by a court of competent jurisdiction, such unconstitutionality, illegality, or invalidity shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid. It is hereby declared as the intent of the Board of Commissioners of Radnor Township, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid clause, sentence, paragraph, section, subsection, part, provision, or part thereof not been included therein.

**Section 4. Effective Date.**

