

ORDINANCE NO. 2021-03

AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING ARTICLE XIX, DENSITY MODIFICATION OF THE RADNOR TOWNSHIP ZONING ORDINANCE BY INCREASING THE REQUIRED OPEN SPACE FOR SUCH USES AND AMENDING SECTION 280-115 BY ESTABLISHING AN OPEN SPACE REQUIREMENT FOR OTHER RESIDENTIAL USES

*WHEREAS*, the Board of Commissioners has determined that residential Density Modification uses require the set aside of useable open space; and

*WHEREAS*, the Board desires to provide an open space requirement for other multi- unit residential type uses; and

*WHEREAS*, open space areas increase property values and conserve natural resources.

*NOW, THEREFORE*, be it *ORDAINED* and *ENACTED* as follows:

**Section 1.**

Article XIX Density Modification is hereby amended by revising Section 280-91 Common open space, Subsection A. as follows:

**§ 280-91. Common open space.**

- A. Not less than 25% of the tract area shall be designated in the subdivision or development plan as common open space. Common open space may not include required buffer yards, floodplain or wetlands. No more than 10% of the required common open space may be used to meet the plan's stormwater management requirements and all required common open space shall be contiguous unless the Board of Commissioners approves otherwise.

**Section 2.**

Section 280-91. Common open space, subsection B. is amended by deleting "floodplain" from the list of lands appropriate as common open space.

**Section 3.**

Article XX General Regulations is hereby amended to add a new **Section 280-115.6 Open Space Requirements**, to read as follows:

**§ 280-115.6 Open Space Requirements**

In addition to the uses identified in Section 280-68 B., residential uses providing support services such as memory care, continuing care, senior living, and similar uses shall provide 15% of the tract

area as common open space, which may not include required buffer yards, floodplain or wetlands. No part of the required common open space may include stormwater facilities and all common open space shall be contiguous unless the Board of Commissioners approves otherwise.

**Section 4.**

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 All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 5.**

Severability. If any section, paragraph, subsection, 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 6.**

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

*ENACTED* and *ORDAINED* this 26th day of April, 2021.

RADNOR TOWNSHIP

By:

  
Name: Jack Larkin  
Title: President

ATTEST:

  
William White, Secretary