

**ORDINANCE NO. 2010-XXA
RADNOR TOWNSHIP**

AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 280, ZONING, BY REZONING A PORTION OF THE C-1 ZONING DISTRICT TO A NEW C-1A MIXED USE LOCAL COMMERCIAL DISTRICT TO PROVIDE FOR RETAIL CONVENIENCE TYPE COMMERCIAL ESTABLISHMENTS SERVING THE SURROUNDING NEIGHBORHOOD, TO ENCOURAGE COMPACT PEDESTRIAN FRIENDLY RESIDENTIAL UNITS, AND TO REQUIRE ADDITIONAL DESIGN CRITERIA FOR BUILDING ENTRANCES AND SITE AMENITIES.

Section 1. – Chapter 280 of the Radnor Township Code of Ordinances is hereby amended and revised adding a new Article X-A Mixed Use Local Commercial District to read as follows:

ARTICLE X-A, C-1A Mixed Use Local Commercial District

§ 280-45.1 Purpose; application of regulations.

C-1A Mixed Use Local Commercial Districts provide for the special requirements of retail convenience-type commercial establishments which serve primarily the day-to-day needs of the immediately surrounding neighborhood and encourage attractive, compact pedestrian-friendly residential units and retail commercial development in locations close to the residences served. In C-1A Mixed Use Local Commercial Districts, the regulations contained in this Article shall apply.

§ 280-45.2 Use regulations.

A detached or semidetached building may be erected or used and a lot may be used or occupied for any one combination of the following purposes, provided that the use and conversion of any existing dwelling shall comply with the provisions of §§ 280-45 and 280-101:

- A. Retail store designed primarily to provide daily service to residents of the immediately surrounding area.
- B. Restaurant or café.
- C. Personal service shop, such as barbershop, beautician, or clothes-cleaning and pressing drop-off/pickup service laundry, dry-cleaning and clothes-pressing processing and self-service processing are prohibited.

D. Retail service shop or custom shop, such as bakery, candy, ice cream or similar shop; custom tailoring or millinery shop; clock, watch or jewelry shop; radio, television or household appliance repair shop, provided that:

- (1) Any processing activity, if located on the ground floor, shall be not less than 15 feet from the front of the building and shall be screened by a wall or partition from the front portion of the building used by customers.
- (2) Any article made shall be sold at retail from the premises.
- (3) The area devoted to processing shall constitute not more than 40% of the gross floor area.

E. Professional office or studio, where such office or studio shall:

- (1) Primarily provide services and related documentation.
- (2) Serve clients through individual or small-group interaction/instruction.
- (3) Have at least 50% of all employees actively involved in significant in-person client interaction.
- (4) Have minimal impact on the neighborhood regarding noise, odor, operating hours, and traffic.

F. Retail or branch bank or similar financial institution.

G. Residential use provided that:

- (1) There are no non-residential uses on or above any residential floor except for common areas such as elevator lobbies, stairwells, utility areas, etc., that are unoccupiable space.
- (2) All residential floors are above the ground floor.

H. Accessory uses may include:

- (1) Storage within a completely enclosed building in conjunction with a permitted use.
- (2) Signs, as permitted in Article XXI, Signs.

§ 280-45.3. Area and height regulations.

A. Lot area and width. Every lot shall have a lot area of not less than 15,000 square feet, and such lot shall be not less than 100 feet in width at the building line.

- B. Building area. Not more than 25% of the area of each lot may be occupied by buildings or structures.
- C. Front yards. There shall be a front yard on each street on which a lot abuts, which shall be not less than 20 feet in depth.
- D. Side yards. Side yards shall be provided on each street as follows:
 - (1) For every detached building, there shall be two side yards, neither of which shall be less than 20 feet in width.
 - (2) For every semidetached building, there shall be one side yard which shall be not less than 20 feet in width.
- E. Rear yards. There shall be a rear yard on each lot, which shall be not less than 35 feet in depth or not less than 35% of the lot depth, whichever is the greater.
- F. Height. No building shall exceed 35 feet in height. Roof-mounted HVAC equipment shall be screened by use of a parapet wall or other building material. The building height shall include all parts of and attachments to a building, and shall be measured from the original grade (the grade prior to any land disturbance).
- G. Lot coverage. Not more than 60% of each lot may be occupied by impervious surfaces.
- H. Riparian buffer setback: 35 feet.
- I. Gross floor area. The gross floor area for any building shall not exceed 7500 square feet, and the gross floor area for any floor shall not exceed 5000 square feet. Buildings containing one or more permitted commercial uses (§ 280-45.2 A-F) shall be separated by a minimum of 20 feet.

§ 280-45.4. Special regulations.

In order to encourage sound and attractive commercial development, the following special requirements shall apply:

- A. Every use, other than a parking lot, shall be completely enclosed within a building.
- B. No restaurant or similar use shall be conducted, such as a drive-in service establishment or refreshment stand (sometimes called a snack bar, dairy bar, ice cream parlor, hamburger stand, pretzel stand or hot dog stand), where customers and patrons are served food and/or drinks for immediate consumption outside the building in which the business is conducted. All preparation, serving and consumption of food shall be within the building in which the business is conducted, except for food taken out for consumption off the premises.

- C. Along each side or rear property line and each side or rear zoning boundary which directly abuts a residential district in the Township or a similar district in an adjoining municipality, there shall be a buffer planting strip as defined in § 280-4B, not less than 15 feet in width.
- D. No permanent storage of merchandise, articles or equipment shall be permitted outside a building, and no goods, articles or equipment shall be stored, displayed or offered for sale beyond the front lines of a building. No outdoor vending machine, self-service station or similar use shall be allowed in any required yard abutting a street or on a public sidewalk.
- E. The greatest dimension in length or depth of a building shall not exceed 160 feet.
- F. The off-street parking, off-street loading and special requirements relating to highway frontage prescribed in §§ 280-103, 280-104 and 280-105 shall apply in C-1A Mixed Use Local Commercial Districts. Any parking within the building area shall be shielded by buffer planting strips as defined in § 280-4B along the building area front(s) and sides, excluding up to one lane each for ingress and egress.
- G. Sidewalk access and sidewalk/street lighting shall be provided and maintained to any new development or redevelopment of buildings. Sidewalks and sidewalk/street lighting shall comply with Township specifications and be located to provide pedestrian access to existing or future sidewalks to encourage non-motorized transit.
- H. Drive-throughs and drive-ins are prohibited.
- I. Buildings, entrances, parking, sidewalks, and walkways shall be located, oriented, and designed to encourage pedestrian access.
- J. Clear openings, including windows and glass doors, shall comprise at least 35% of the area of the front wall(s) of each principal use building's ground floor. For purposes of this regulation, the height of the ground floor shall be 8 feet measured from the bottom elevation of the building's main front entrance threshold. Materials that are colored, tinted, or distorted, such as glass block, shall not be considered clear openings. Materials with energy-efficient properties such as low-emissivity (low-e) and reflective glass shall qualify as clear openings provided that they allow a total visible light transmittance of not less than seventy percent (70%) in both directions. For a corner property, each set of front walls shall independently satisfy this regulation.
- K. The ground floor of each principal use building shall contain one or more permitted commercial uses (§ 280-47 A-F) collectively occupying at least 70% of the building area.
- L. No fence or wall erected within the required front yard setback shall exceed a height of four feet.
- M. The site amenities described in § 280-45.4 G and § 280-45.4 J shall also be required under the following circumstances:

(1) For § 280-45.4 G (Sidewalks) and § 280-45.4 J (Clear openings):

- (a) Tearing down or razing any front external wall of any principal structure down to the foundation.
- (b) Tearing down or razing 50% of the external walls of any principal structure down to the foundation.
- (c) Increasing or relocating 20% of the existing building area or total gross floor area.

(2) For § 280-45.4 G (Sidewalks):

- (a) Having any residential use under § 280-45.2 G.

Section 2. Article II, Section 280-5 Classes Established is hereby amended to provide for a C-1A Mixed Use Local Commercial District.

Section 3. Section 280-6 Zoning Map and the Zoning Map of Radnor Township is hereby revised rezoning a portion of the C-1 Zoning District to C-1A as shown on the Zoning Map attached hereto as Exhibit “A”, and rezoning the portion of those properties on the attached Exhibit “B” from C-1 to C-1A as shown on the Zoning Map attached to this Ordinance.

Section 4. Repealer. All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Commissioner of Radnor Township, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

Section 6. Effective Date. This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

ENACTED and ORDAINED this ____ day of _____ 2010.

RADNOR TOWNSHIP

By: _____
Name: John Nagle
Title: President

ATTEST: _____
Matthew Baumann, Secretary