



MOIRA MULRONEY, ESQ. *Ward 5*
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SEAN FARHY *Ward 7*

RADNOR TOWNSHIP
301 IVEN AVENUE
WAYNE, PENNSYLVANIA 19087-5297

Phone (610) 688-5600
Fax (610) 971-0450
www.radnor.com

WILLIAM M. WHITE
Township Manager
Township Secretary

JOHN B. RICE, ESQ.
Solicitor

KEN FROHLICH
Treasurer

June 1, 2023

Gina Burritt, Director
Delaware County Planning Department
1055 E. Baltimore Pike
Elwyn, PA 19063

SUBJECT: PROPOSED ZONING AMENDMENT – RADNOR TOWNSHIP

Dear Ms. Burritt:

Enclosed please find a copy of a proposed Zoning Ordinance amendment for Radnor Township. Please review in accordance with the applicable requirements of the Municipalities Planning Code. The proposed regulations will amend the outdoor dining regulations for the Garrett Hill – Conestoga Road (GH-CR) District.

This amendment is being provided to you in accordance with MPC Section 609(e); which requires that a copy be provided to the County Planning Agency for recommendations at least 30 days prior to the public hearing.

Sincerely,

Patricia L. Kaufman
Assistant Zoning Officer

CC: William White, Township Manager
John Rice, Township Solicitor
Steve Norcini, Township Engineer

05.08.23

**RADNOR TOWNSHIP
ORDINANCE NO. 2023-03**

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, TO PERMIT LIMITED OUTDOOR DINING
FACILITIES IN THE GARRETT HILL CONESTOGA ROAD (GH-CR)
DISTRICT.**

WHEREAS, the Radnor Township Planning Commission and Delaware County Planning Commission recommend the following modifications to the Township's outdoor dining regulations; and

WHEREAS, the Radnor Township Board of Commissioners desires to permit limited outdoor dining in the Garrett Hill-Conestoga Road (GH-CR) District.

NOW, THEREFORE, the Radnor Township Board of Commissioners does hereby ENACT and ORDAIN as follows:

ARTICLE I. The opening paragraph of Subsection 115.4.A of Outdoor dining regulations is hereby revised to read as follows:

- A. Within the C-1, C-2, C-3, WBOD, PB, and GH-CR Districts, outdoor dining shall be permitted as an accessory use on the same premises as a licensed food establishment (restaurant) that has indoor seating. To assure quality standards for customers and food safety, the following provisions shall apply:

The remainder of Subsection 115.4.A (Subsections 115.4.A(1) through (15)) shall remain unchanged, unless specifically amended below, and in full force and effect.

ARTICLE II. Subsection 115.4.A(10) is hereby revised by adding two new subsections (f) and (g), which shall read as follows:

- (f) The setbacks and requirements of Subsections A(10)(b), (c), and (d) shall not apply to properties in the GH-CR District. A fifty (50) foot setback, however, shall be required in the GH-CR District between the outdoor dining area and the property line of any adjacent single-family dwelling.
- (g) No additional parking spaces are required for outdoor dining in the GH-CR District. For each outdoor seat of a licensed food establishment in the GH-CR District, however, the number of permissible indoor seats for that food establishment shall be reduced by one (1) seat.

ARTICLE III. the opening paragraph of Subsection 115.4.B of Outdoor dining regulations is hereby revised to read as follows:

- B. Outdoor dining shall be permitted within the PLO District as an accessory use on the same premises as and as part of one of the following licensed food establishments that has indoor seating:

The remainder of Subsection 115.4.B (Subsections 115.4.B(1) and (2)) shall remain unchanged and in full force and effect.

ARTICLE IV. Subsection 115.4.C of Outdoor dining regulations is hereby revised to read as follows:

- C. Existing nonconformities. Outdoor dining shall be permitted by special exception in all other zoning districts, as an accessory use on the same premises as an existing licensed nonconforming food establishment that has indoor seating and shall be subject to the provisions of §280-115.4.A.

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

ARTICLE VI. 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.

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

ENACTED and **ORDAINED** by the Radnor Township Board of Commissioners this _____ day of _____, 2023.

**RADNOR TOWNSHIP
BOARD OF COMMISSIONERS**

By: _____
Name: Moira Mulroney
Title: President

ATTEST: _____