

WEST VINCENT TOWNSHIP OPEN SPACE PROGRAM

The program is based upon state law which allows municipalities to preserve greenway or open space.

In 1998, the Township enacted a comprehensive rewrite of its Zoning Ordinance. That ordinance adopted the principles espoused by Randall Arendt and required developers to provide open space or greenway with their developments. It also included a section on Transferrable Development Rights in Article XXV. Section 2508 provided that the Township could purchase TDRs.

In 2002, residents of the Township approved the passage of the first open space referendum.

Since 2002, the Township has actively sought to purchase development rights. The first such purchase was late in 2003. The open space preservation program sought to do this because:

- The purchase of TDRs was attractive to sellers because the sellers retained the land, had minimal restrictions on what they could do with the land, and did not require public use of the land. The program was based on the premise that the landowner retained the right to use his or her property as he/she saw fit, which included the construction of fences, driveways, sheds, barns and other accessory improvements including accessory dwellings. The Township was purchasing the right to new building lots [together with all of their accessory uses and improvements] on the property. The landowner takes less money from the Township than he/she would from a developer because he/she retains the property and the rights he/she had as landowner.
- The purchase of TDRs was attractive to the Township because it was cost effective, and the owner kept and continued to maintain the property. With the \$2.4 million raised by the first open space referendum, the Township preserved 183 acres of land and prevented the building of 95 new primary dwellings. If the Township bought land at the bargain price of \$30,000 per acre, only 80 acres would have been preserved and the Township would have a continuing maintenance cost for such property.

There have been 26 transactions to date using funds from the two open space referendums. Over \$6.9 million have been spent preserving about 640 acres. 269 TDRs have been purchased. As of today, a little over \$1.2 million remains to be spent. The Board intends to complete this part of the program [using money from the open space referendums] by year end. The Township will continue to preserve open space through its Zoning Ordinance and by raising open space funds through other means, like from developers and grants.

The right of a resident to have an accessory dwelling has been allowing by the Zoning Ordinance since 1987. Section 2201 of the Zoning Ordinance spells out in great detail the rules relating to accessory dwellings. The Township has looked favorably on them because they allow residents to continue to stay on a property with their children as they age. This is of particular importance to farmers, whom the Township targeted for the use of open space funds.

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OPEN SPACE PROGRAM

<u>Programs</u>	<u>Acres Preserved</u>	<u>TDRs</u>
Purchase of TDRs		
Open Space Referendum 1	156.4	95
Open Space Referendum 2	<u>407.1</u>	<u>169</u>
Total	563.5	264
Match Funds for Purchase of Easements	15.0	5
Match County Ag Funds	26.6	(12)
Pay Costs for Easement with 3 rd Party	36.2	(13)
Subtotal:	641.3	294
Zoning Ordinance		
Greenway Requirements	793.0	
Purchase of TDRs by Developers	147.4	128
Purchase of Land	47.87	
Township Affiliated Land Trust (Easements and Donations of Land & TDRs)	248.50	
Total	1,878.07	422
Percentage of Township Preserved	16.4%	
Voluntary Contributions from Developers:		
Received:	\$1,000,000	
Under Agreement:	\$875,000	

05/11