

HOPEWELL TOWNSHIP
ORDINANCE NO. 2005-05

AN ORDINANCE OF HOPEWELL TOWNSHIP, BEAVER COUNTY PENNSYLVANIA, AMENDING THE HOPEWELL TOWNSHIP ZONING MAP AS FOLLOWS: TAX PARCEL 65-015-0401-002-1, OWNED BY JANINE D. AND FRANK PANTELY, JR., 2343 BRODHEAD ROAD, FROM R-2 TO C-1, AND TAX PARCEL 65-015-0402-000-1, OWNED BY FRANK PANTELY, 2351 BRODHEAD ROAD, FROM R-2 TO C-1, TO INCLUDE THE REAL PROPERTY OWNED BY KENNETH M. AND KATHLEEN AYERS, MORE PARTICULARLY DESCRIBED AS: TAX PARCEL 65-015-0401-1, 2345 BRODHEAD ROAD

WHEREAS, Hopewell Township, through its Board of Commissioners, desires to amend the Hopewell Township Zoning Map as follows: Tax Parcel 65-015-0401-002-1, owned by Janine D. and Frank Pantely, Jr., 2343 Brodhead Road, from R-2 to C-1, and Tax Parcel 65-015-0402-000-1, owned by Frank Pantely, 2351 Brodhead Road, from R-2 to C-1, to include the real property owned by Kenneth M. and Kathleen Ayers, more particularly described as: Tax Parcel 65-015-0401-1, 2345 Brodhead Road.

NOW, THEREFORE, BE IT RESOLVED by the Township of Hopewell, Beaver County, Pennsylvania, through its Board of Commissioners, effective as of November 14, 2005:

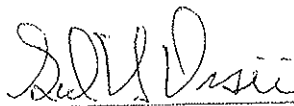
The Hopewell Zoning Map is hereby amended as follows:

Tax Parcel 65-015-0401-002-1, owned by Janine D. and Frank Pantely, Jr., 2343 Brodhead Road, from R-2 to C-1, and Tax Parcel 65-015-0402-000-1, owned by Frank Pantely, 2351 Brodhead Road, from R-2 to C-1, to include the real property owned by Kenneth M. and Kathleen Ayers, more particularly described as: Tax Parcel 65-015-0401-1, 2345 Brodhead Road.

ORDAINED AND ENACTED into an ordinance this 14TH day of November, 2005.

ATTEST:

BOARD OF COMMISSIONERS OF
HOPEWELL TOWNSHIP


Gerald G. Orsini, Manager

By: 
Chuck Piroli, Acting President

(Seal)

ORDINANCE NO. 2006-02

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, A FIRST CLASS TOWNSHIP UNDER THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, AMENDING THE HOPEWELL TOWNSHIP ZONING ORDINANCE, ARTICLE VII, R-2 LOW DENSITY RESIDENTIAL DISTRICT, SECTION 702, TO ADD AS A CONDITIONAL USE PLANNED RESIDENTIAL DEVELOPMENTS

WHEREAS, planned residential developments are currently permitted in Hopewell Township as Conditional Uses in the R-1 Residential-Agricultural District, R-3 Medium Density Residential District and the R-4 High Density Residential District; and

WHEREAS, conditional uses are currently subject to procedural and use restrictions pursuant to sections 2217 (performance standards), 2303 (procedures for review) and 23041 (specific criteria) of the Hopewell Township Zoning Ordinance; and

WHEREAS, planned residential developments are currently subject to restriction pursuant to Article XIX which details eligibility and ownership requirements, tract size and lot dimensions, infrastructure, design standards, density requirements, environmental considerations, traffic circulation, parking facilities, and location and maintenance of common open space; and

WHEREAS, planned residential developments as conditional uses require an initial application for tentative approval, public hearing, report of findings on application for tentative approval, application and specifications for final approval and completion of improvements guarantee; and

WHEREAS, the purpose of this Amendment is to provide for planned residential developments in the R-2 District as they are currently permitted as conditional uses in all other Residential Districts in Hopewell Township and to open these areas up to possible residential development for the welfare of the residents of Hopewell Township.

NOW THEREFORE, based upon the foregoing, be it Enacted and Ordained by the Board of Commissioners for the First Class Township of Hopewell, Beaver County, Commonwealth of Pennsylvania that:

1. Article VII of the Hopewell Township Zoning Ordinance, R-2 Low Density Residential District, Section 702, "CONDITIONAL USES" is revised to add:

"Uses listed herein shall be reviewed and approved as per the provisions of Section 2303 or this Ordinance:

A. Planned Residential Developments. (See Section 2304I)"

2. Article XXIII, Section 2304I is revised to read as follows:

"Planned Residential Developments in accordance with Article XIX. Conditional Use in the R-1, R-2, R-3 and R-4 Districts."

3. Article XIX, Section 1904A "TRACT SIZE" is revised to add:

" . . . and ten (10) acres without commercial uses and twenty (20) acres with commercial uses in R-2"

ORDAINED and ENACTED this 14th day of May, 2006. This

Ordinance shall be effective immediately.

ATTEST:

Gail D. Osinski

TOWNSHIP OF HOPEWELL

BY: Mark A. Johnson Jr.

President, Hopewell Township
Board of Commissioners

BY: Norman Krucyk
Commissioner

BY: B. B. J.
Commissioner

BY: Robert B. Bafalun
Commissioner

BY: _____
Commissioner

ORDINANCE NO. 2007-04

TOWNSHIP OF HOPEWELL
BEAVER COUNTY, PENNSYLVANIA

AN ORDINANCE OF HOPEWELL TOWNSHIP, BEAVER COUNTY PENNSYLVANIA FOR THE PURPOSE OF AMENDING THE HOPEWELL TOWNSHIP ZONING MAP, ORDINANCE NO. 2004-01, TO REZONE PROPERTIES AS SHOWN AND DESCRIBED ON EXHIBIT "A" ATTACHED, TAX PARCEL NO. 65-213-0101, 65-213-0101.2, 65-213-0101.3 AND 65-213.0101.4, TOTALING APPROXIMATELY SIXTY-THREE (63) ACRES. PROPERTIES ARE LOCATED ALONG SHARON GRANGE ROAD TO BE REZONED FROM R-1 (RESIDENTIAL-AGRICULTURE) AND R-2 (RESIDENTIAL LOW DENSITY) TO I-P (INDUSTRIAL PARK).

WHEREAS, Hopewell Township received a rezoning request from Jacqueline K. Mazza of Mazza Engineering Associates, Inc., dated March 6, 2007, submitted on behalf of property owners, Doug Kaleugher, President of LIZZIE, LLC, and James and Kim Turnley to rezone approximately sixty-three (63) acres of land identified as Tax Parcel Nos. 65-213-0101, 65-213-0101.2, 65-213-0101.3 AND 65-213.0101.4.

WHEREAS, the Hopewell Township Planning Commission and Board of Commissioners have reviewed the proposed Zoning Map amendment request; and

WHEREAS, the Hopewell Township Planning Commission reviewed the Zoning Map amendment request on March 22, 2007 and made a recommendation to the Board of Commissioners on March 22, 2007; and

WHEREAS, the Board of Commissioners held a Public Hearing on May 7, 2007 as provided by the Hopewell Township Code and the Pennsylvania Municipalities Planning Code at which time testimony was received concerning the Zoning Map amendment request; and

WHEREAS, the Board of Commissioners advertised the Public Hearing and the notice of intent to adopt on April 13th, 2007 and April 23rd, 2007 as provided by the Hopewell Township Code and the Pennsylvania 1st Class Township code; and

WHEREAS, the judgment of the Board of Commissioners, such an amendment to the Zoning Map of the Township of Hopewell, Beaver County, Pennsylvania is consistent with the overall Comprehensive Plan adopted by the Township.

NOW, THEREFORE, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Board of Commissioners of the Township:

SECTION 1. Hopewell Township Zoning Ordinance No. 2004-01, the Official Zoning Map, incorporated therein under Article IV, section 401, is hereby amended to rezone properties described as Tax Parcel Nos. 65-213-0101, 65-213-0101.2, 65-213-0101.3 and 65-213.0101.4. as shown and described on Exhibit "A" located along Sharon Grange Road from R-1 (Residential-Agriculture) and R-2 (Residential Low Density) to I-P (Industrial Park). Exhibit "A" is attached hereto and incorporated herein.

SECTION 2. Severability
If any chapter, section, subsection, paragraph, sentence or phrase of this ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not effect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

SECTION 3. Repealer
Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.

Ordained and enacted this 7th day of May, 2007, by the Board of Commissioners of the Township of Hopewell.

ATTEST:



Gerald Orsini, Township Manager

Board of Commissioners
Hopewell Township



Mario Leone, Chairman

ORDINANCE NO. 2007-05

TOWNSHIP OF HOPEWELL
BEAVER COUNTY, PENNSYLVANIA

AN ORDINANCE OF HOPEWELL TOWNSHIP, BEAVER COUNTY PENNSYLVANIA, AMENDING THE HOPEWELL TOWNSHIP ZONING ORDINANCE NO. 2004-01 AS FOLLOWS; AMENDING THE DEFINITION FOR COMMERCIAL RECREATIONAL FACILITY, ESTABLISHING WHICH DISTRICTS A COMMERCIAL RECREATIONAL FACILITY IS PERMITTED AS A CONDITIONAL USE AND ESTABLISHING CRITERIA FOR THE CONDITIONAL USE.

WHEREAS, the Hopewell Township Planning Commission and Board of Commissioners have reviewed the proposed zoning amendment; and

WHEREAS, the Hopewell Township Planning Commission reviewed the Ordinance on March 22, 2007 and April 26, 2007 and made a recommendation to the Board of Commissioners on April 26, 2007; and

WHEREAS, the Board of Commissioners held a Public Hearing on May 7, 2007 as provided by the Hopewell Township Code and the Pennsylvania Municipalities Planning Code at which time testimony was received concerning the amendment; and

WHEREAS, the Board of Commissioners advertised the Public Hearing and the notice of intent to adopt on April 13th, 2007 and April 23rd, 2007 as provided by the Hopewell Township Code and the Pennsylvania 1st Class Township code; and

WHEREAS, the judgment of the Board of Commissioners, such an amendment to the Zoning Ordinance of the Township of Hopewell, Beaver County, Pennsylvania is consistent with the overall Comprehensive Plan adopted by the Township.

NOW, THEREFORE, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Board of Commissioners of the Township:

SECTION 1. Article III DEFINITIONS, Section 301 "MEANING OF WORDS" is hereby amended by revising the following definition:

COMMERCIAL RECREATIONAL FACILITY -- An enterprise and/or establishment operated by other than a public entity for profit for the indoor and outdoor pursuit of sports, recreation and leisure activities including, but not limited to, such establishments as miniature golf, golf or batting practices facilities, ice and roller rinks, bowling alleys, playing fields, paintball facilities, racquet clubs, swimming pools, theaters, boat marinas and amusement parks and similar facilities, however, go-carts, motorcross or similar motorized vehicles are not permitted within a Commercial Recreational Facility.

SECTION 2. Article XI MU – MIXED USE DISTRICT, Section 1101
“PERMITTED USES” is hereby amended by deleting the following ~~strikeout~~ text:

A. Principle Uses:

~~9.—Private recreation facilities, including but not limited to, theaters and
bowling alleys.~~

SECTION 3. Article XI MU – MIXED USE DISTRICT, Section 1102
“CONDITIONAL USES” is hereby amended by adding the following text:

C. COMMERCIAL RECREATIONAL FACILITY (as defined)
(See Section 2304 BBB.)

SECTION 4. Article XII C-1 – HIGHWAY COMMERCIAL DISTRICT,
Section 1201 “PERMITTED USES” is hereby amended by deleting the following
~~strikeout~~ text:

A. Principle Uses:

~~6.—Commercial recreational facilities (as defined)~~

SECTION 5. Article XII C-1 – HIGHWAY COMMERCIAL DISTRICT,
Section 1202 “CONDITIONAL USES” is hereby amended by adding the following text:

B. COMMERCIAL RECREATIONAL FACILITY (as defined)
(See Section 2304 BBB.)

SECTION 6. Article XIII C-2 – COMMERCIAL SHOPPING CENTER
DISTRICT, Section 1302 “CONDITIONAL USES” is hereby amended by deleting the
following ~~strikeout~~ text and adding the following text:

~~There are no conditional uses provided for in this District.~~

A. COMMERCIAL RECREATIONAL FACILITY (as defined)
(See Section 2304 BBB.)

SECTION 7. Article XIV I-P – INDUSTRIAL PARK DISTRICT, Section 1402
“CONDITIONAL USES” is hereby amended by adding the following text:

C. COMMERCIAL RECREATIONAL FACILITY (as defined)
(See Section 2304 BBB.)

SECTION 8. Article XVI RID – RIVERFRONT INDUSTRIAL DISTRICT, Section 1601 “PERMITTED USES” is hereby amended by deleting the following strikeout text:

- A. Principle Uses:
~~12. Commercial recreational facilities, including boat marinas~~

SECTION 9. Article XVI RID – RIVERFRONT INDUSTRIAL DISTRICT, Section 1602 “CONDITIONAL USES” is hereby amended by adding the following text:

- D. COMMERCIAL RECREATIONAL FACILITY (as defined)
(See Section 2304 BBB.)

SECTION 10. Article XVII SP – SPECIAL GROWTH DISTRICT, Section 1701 “PERMITTED USES” is hereby amended by deleting the following strikeout text:

- A. Principle Uses:
~~10. Commercial recreational~~

SECTION 11. Article XVII SP – SPECIAL GROWTH DISTRICT, Section 1702 “CONDITIONAL USES” is hereby amended by adding the following text:

- C. COMMERCIAL RECREATIONAL FACILITY (as defined)
(See Section 2304 BBB.)

SECTION 12. Article XXIII STANDARDS AND CRITERIA GOVERNING ALLOWANCE OF SPECIAL EXCEPTIONS AND CONDITIONAL USES, Section 2304 “SPECIFIC CRITERIA FOR CONDITIONAL USES” is hereby amended by adding the following section and text:

- Section BBB. Commercial Recreational Facility: Conditional Use in the MU, C-1, C-2, I-P, RID and SP Districts
1. No lighting, noise or other aspect of the commercial recreation facility shall in the opinion of the Planning Commission and Board of Commissioners produce any nuisance factor to the residential and/or public uses in the proximity.
 2. Adequate off-street parking shall be provided for all proposed uses at peak demand times.
 3. All ingress and egress to and from the site(s) shall be situated so as not to unduly interfere with through traffic movements on adjacent streets.
 4. Outdoor playfields and outdoor recreational facilities shall be located a minimum of one hundred (100) feet from the property line adjoining any R-1, R-2, R-3 or R-4 zoned property.

5. A landscape buffer yard shall be provided along all property lines adjoining any R-1, R-2, R-3 or R-4 zoned property. The landscape buffer yard shall consist at a minimum of five (5) evergreen trees and four (4) deciduous trees per every forty (40) lineal feet of perimeter. The evergreen and deciduous trees may be staggered to enhance the buffer effect and shall be complemented with mounding and/or aesthetically compatible fencing or other structures. In-lieu of the required landscape buffering, where an existing one-hundred fifty (150) foot vegetation buffer with mature adequate vegetation occurs, and it is designed to remain along the perimeter, then the existing vegetation may be substituted for the buffer yard.
6. All equipment for the use shall be properly stored when not in use.
7. All garages, equipment shelters, offices and similar structures shall be screened from adjacent residential properties by appropriate planting or fences approved by the Township on the basis of design, aesthetic quality and general adequacy.
8. Outdoor lighting, if any shall be shielded and/or reflected away from adjoining properties so that no direct beam, but only diffuse or reflected light, enters adjoining properties.
9. No loudspeakers shall be permitted outside any enclosed structures.
10. The Commissioners may impose restrictions deemed necessary regarding access to facility, hours of operation, landscaping and other such matters, as they deem necessary, to insure that there is no adverse impact upon the functioning of the district, municipal infrastructure or adjacent land uses.

SECTION 5. Severability.

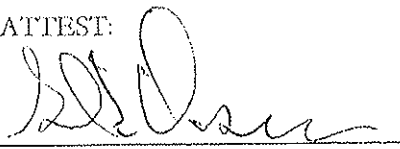
If any chapter, section, subsection, paragraph, sentence or phrase of this ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not effect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

SECTION 6. Repealer.

Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.

Ordained and enacted this 7th day of May, 2007, by the Board of Commissioners of the Township of Hopewell.

ATTEST:



Gerald Orsini, Township Manager

Board of Commissioners
Hopewell Township



Mario Leone, Chairman

ORDINANCE NO. - 2007- 06

TOWNSHIP OF HOPEWELL
BEAVER COUNTY, PENNSYLVANIA

AN ORDINANCE OF HOPEWELL TOWNSHIP, BEAVER COUNTY PENNSYLVANIA, AMENDING THE HOPEWELL TOWNSHIP ZONING ORDINANCE NO. 2004-01 AS FOLLOWS; ADDING A DEFINITION FOR ZERO LOT LINE RESIDENCE, ESTABLISHING WHICH DISTRICTS A ZERO LOT LINE RESIDENCE IS PERMITTED AND ESTABLISHING LOT AND AREA REQUIRMENTS CRITERIA FOR A ZERO LOT LINE RESIDENCE.

WHEREAS, the Hopewell Township Planning Commission and Board of Commissioners have reviewed the proposed zoning amendment; and

WHEREAS, the Hopewell Township Planning Commission reviewed the Ordinance on August 23, 2007 and made a recommendation to the Board of Commissioners on August 23, 2007; and

WHEREAS, the Board of Commissioners held a Public Hearing on ~~October 8, 2007~~ *October 8, 2007* as provided by the Hopewell Township Code and the Pennsylvania Municipalities Planning Code at which time testimony was received concerning the amendment; and

WHEREAS, the Board of Commissioners advertised the Public Hearing and the notice of intent to adopt on ~~October 8, 2007~~ *September 17th & September 17th Jan 1* as provided by the Hopewell Township Code and the Pennsylvania 1st Class Township code; and

WHEREAS, the judgment of the Board of Commissioners, such an amendment to the Zoning Ordinance of the Township of Hopewell, Beaver County, Pennsylvania is consistent with the overall Comprehensive Plan adopted by the Township.

NOW, THEREFORE, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Board of Commissioners of the Township:

SECTION 1. Article III DEFINITIONS, Section 301 "MEANING OF WORDS" is hereby amended by adding the following definition:

ZERO LOT LINE RESIDENCE – A LOT or parcel bearing a DWELLING UNIT that is part of a Duplex (Two-family), Triplex (Three-family), Quadraplex (Four-family) or Townhouse where the location of a party wall or common wall comprises one or more of the LOT LINES that is common to another LOT or parcel.

SECTION 2. Article VIII R-3 -- MEDIUM DENSITY RESIDENTIAL DISTRICT, Section 801 "PERMITTED USES" is hereby amended by adding the following underlined text:

A. Principle Uses:

9. ZERO LOT LINE RESIDENCE

SECTION 3. Article VIII R-3 -- MEDIUM DENSITY RESIDENTIAL DISTRICT, Section 804 "LOT AND AREA REQUIRMENTS" is hereby amended by adding the following underlined text:

A. Minimum Lot Area:

2. Two-family and Three-family dwelling units and ZERO LOT LINE RESIDENCES -- 3,750 square feet per dwelling unit with municipal sewers

B. Minimum Lot Width:

3. ZERO LOT LINE RESIDENCE -- Forty-five (45) feet

D. Minimum Side Yard Dimensional Setbacks:

3. Sideyard setback for the ZERO LOT LINE RESIDENCE shall be zero at any lot line that lies on a party wall or common wall. Otherwise, the sideyard setback shall be at stated in 804D.1.

H. ZERO LOT LINE RESIDENCES

1. ZERO LOT LINE RESIDENCES shall be controlled by a homeowner's association and/or restrictive deed covenants for the Lot(s) and Dwelling Units regulating and maintaining the integrity of the party wall or common wall separating the units and any common areas proposed

SECTION 4. Article IX R-4 -- HIGH DENSITY RESIDENTIAL DISTRICT, Section 901 "PERMITTED USES" is hereby amended by adding the following underlined text:

A. Principle Uses:

10. ZERO LOT LINE RESIDENCE

SECTION 5. Article IX R-4 -- HIGH DENSITY RESIDENTIAL DISTRICT, Section 904 "LOT AND AREA REQUIREMENTS" is hereby amended by adding the following underlined text:

A. Minimum Lot Area:

2. Two-family and Three-family dwelling units and ZERO LOT LINE RESIDENCES -- 3,750 square feet per dwelling unit with municipal sewers

B. Minimum Lot Width:

3. ZERO LOT LINE RESIDENCE -- Forty-five (45) feet

D. Minimum Side Yard Dimensional Setbacks:

3. Sideyard setback for the ZERO LOT LINE RESIDENCE shall be zero at any lot line that lies on a party wall or common wall. Otherwise, the sideyard setback shall be as stated in 804D.1.

H. ZERO LOT LINE RESIDENCES

1. ZERO LOT LINE RESIDENCES shall be controlled by a homeowner's association and/or restrictive deed covenants for the Lot(s) and Dwelling Units regulating and maintaining the integrity of the party wall or common wall separating the units and any common areas proposed

SECTION 6. Severability.

If any chapter, section, subsection, paragraph, sentence or phrase of this ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not effect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

SECTION 7. Repealer.

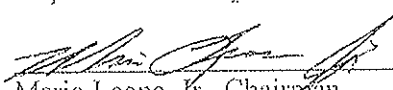
Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.

Ordained and enacted this 8 day of October, 2007, by the Board of Commissioners of the Township of Hopewell.

ATTEST:


Gerald Orsini, Township Manager

Board of Commissioners
Hopewell Township


Mario Leone, Jr., Chairman

ORDINANCE NO. 2008-02

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA, A FIRST CLASS TOWNSHIP UNDER THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, AMENDING THE HOPEWELL TOWNSHIP ZONING ORDINANCE NO. 2004-01 TO ADD ANIMAL CREMATORIUM FACILITIES AS CONDITIONAL USES IN THE C-1 COMMERCIAL HIGHWAY ZONING DISTRICT AND DEFINING AND PROVIDING CRITERIA AND STANDARDS FOR ANIMAL CREMATORIUM FACILITIES IN SAID DISTRICT

WHEREAS, the Hopewell Township Planning Commission and Board of Commissioners have reviewed the proposed zoning amendment; and

WHEREAS, the Hopewell Township Planning Commission reviewed the Ordinance on April 24, 2008 and made a recommendation for approval to the Board of Commissioners on April 28, 2008; and

WHEREAS, the Beaver County Planning Commission reviewed the Ordinance on April 15, 2008 and did not object to the proposed amendment as documented in correspondence to the Board of Commissioners dated April 16, 2008; and

WHEREAS, the Board of Commissioners held a public hearing on April 28, 2008 as provided by the Hopewell Township Code and the Pennsylvania Municipalities Planning Code at which time testimony was received concerning the amendment; and

WHEREAS, the Board of Commissioners advertised the public hearing and notice of intent to adopt the proposed amendment on March 31, 2008 and April 7, 2008 as provided by the Hopewell Township Code and the First Class Township Code; and

WHEREAS, it is the judgment of the Board of Commissioners for Hopewell Township that such an amendment to the Zoning Ordinance of the Township of Hopewell, Beaver County, Pennsylvania is consistent with the overall Comprehensive Plan adopted by the Township.

NOW, THEREFORE, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Board of Commissioners of the Township of Hopewell:

SECTION 1. Article III DEFINITIONS, Section 301 "MEANING OF WORDS" is hereby amended by adding the following:

ANIMAL CREMATORIUM FACILITY-- Establishments that operate sites, facilities or structures reserved for cremating animal remains consistent with accepted and approved industry standards for such facilities.

SECTION 2. Article XII C-1 COMMERCIAL HIGHWAY DISTRICT, Section 1202 "CONDITIONAL USES" is hereby amended by adding the following text:

B. Animal Crematorium Facilities. (See Section 2304 BB.)

SECTION 3. Article XXIII STANDARDS AND CRITERIA GOVERNING ALLOWANCE OF SPECIAL EXCEPTIONS AND CONDITIONAL USES, Section 2304 "SPECIFIC CRITERIA FOR CONDITIONAL USES" is hereby amended by adding the following section and text:

Section BB. Animal Crematorium Facilities: Conditional Use in the C-1 District

1. The expansion and/or establishment of an animal crematorium facility must be in conjunction with, adjacent to or within a reasonable proximity to a licensed veterinary practice as demonstrated by the applicant.
2. An animal crematorium facility shall have frontage on and direct vehicular access to an arterial or collector street.
3. An animal crematorium facility may be located within an existing building or structure on property being used for the practice of veterinary medicine.
4. All animal crematorium facilities and similar structures shall be screened from adjacent residential properties by appropriate planting or fences approved by the Township on the basis of design, aesthetic quality and general adequacy.
5. All equipment for the use shall be properly stored when not in use.
6. The building architecture and design for any crematorium building use shall have an architectural design or a residential character to be compatible with the existing neighborhood. The applicant shall submit architectural design plans for review by the Township with the Conditional Use application.

SECTION 4. Severability

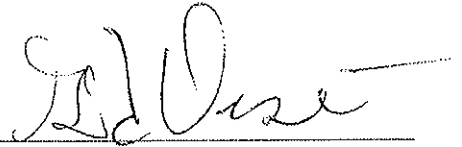
If any chapter, section, subsection, paragraph, sentence or phrase of this ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not effect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

SECTION 5. Repealer

Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.

Ordained and enacted this 28th day of April 2008, by the Board of Commissioners of the Township of Hopewell.

ATTEST:



Gerald Orsini, Township Manager

Board of Commissioners
Hopewell Township



Chuck Piroli, Chairman

ORDINANCE NO. 2008-04

TOWNSHIP OF HOPEWELL
BEAVER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA, A FIRST CLASS TOWNSHIP UNDER THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, AMENDING THE HOPEWELL TOWNSHIP ZONING MAP, ORDINANCE NO. 2004-01, TO REZONE PROPERTY IDENTIFIED AS TAX PARCEL NO. 65-017-0535.000 TOTALING APPROXIMATELY FOUR ACRES AND LOCATED ALONG BRODHEAD ROAD FROM R-1 (RESIDENTIAL-AGRICULTURE), R-2 (RESIDENTIAL LOW DENSITY) AND C-1 (COMMERCIAL HIGHWAY) TO C-1 EXCLUSIVELY

WHEREAS, Hopewell Township received a rezoning request from Eugene and Michele Nalli of 2279 Brodhead Road, dated September 12, 2008, to rezone approximately Four (4) acres of land identified as Tax Parcel No. 65-017-0535.000 and situate within the zoning districts of R-1, R-2 and C-1 to a singular zoning category of C-1 (Commercial Highway); and

WHEREAS, the Hopewell Township Planning Commission and Board of Commissioners have reviewed the proposed Zoning Map amendment request; and

WHEREAS, the Hopewell Township Planning Commission reviewed the Zoning Map amendment request on September 25, 2008 and made a recommendation to the Board of Commissioners for approval of the amendment request by correspondence dated September 29, 2008; and

WHEREAS, the Board of Commissioners held a Public Hearing on November 17, 2008 as provided by the Hopewell Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code at which time testimony was received concerning the Zoning Map amendment request; and

WHEREAS, the Board of Commissioners advertised the Public Hearing and the notice of intent to adopt on October 22, 2008 and October 29, 2008 as provided by the Hopewell Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code; and

WHEREAS, in the judgment of the Board of Commissioners of Hopewell Township, the requested amendment to the Zoning Map of the Township of Hopewell, Beaver County, Pennsylvania is in the Township's best interests, the change requested

will not result in a detrimental effect on abutting properties and the change requested will be consistent with the overall Comprehensive Plan adopted by the Township.

NOW, THEREFORE, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Board of Commissioners of the Township:

SECTION 1. Hopewell Township Zoning Ordinance No. 2004-01, the Official Zoning Map, incorporated therein under Article IV, section 401, is hereby amended to rezone property described and identified as Tax Parcel No. 65-017-0535.000 located at 2279 Brodhead Road from R-1 (Residential-Agriculture); R-2 (Residential Low Density) and C-1 (Commercial Highway) to a singular zoning category of C-1 (Commercial Highway). The amended Zoning map of this area is marked Exhibit "A" and attached hereto and incorporated herein.

SECTION 2. Severability


If any chapter, section, subsection, paragraph, sentence or phrase of this ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not effect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

SECTION 3. Repealer

Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.

Ordained and enacted this th day of November, 2008, by the Board of Commissioners of the Township of Hopewell.

ATTEST:


Gerald Orsini, Township Manager

Board of Commissioners
Hopewell Township


Chuck Piroli, Chairman

ORDINANCE NO. 2009-02

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, A FIRST CLASS TOWNSHIP UNDER THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, AMENDING THE HOPEWELL TOWNSHIP ZONING ORDINANCE NO. 2004-01 ARTICLE XX "SIGNS" TO IMPOSE CERTAIN FEES FOR PERMITTING AND LICENSING OF SIGNS IN HOPEWELL TOWNSHIP

WHEREAS, pursuant to the Hopewell Township Zoning Ordinance, 2004-1, billboard signs are conditional uses in the R-1 and RID Districts and free-standing signs are permitted uses in the C-1, C-2, IP, I, SP, RID, M-U and NSD Districts in the Township of Hopewell; and

WHEREAS, conditional uses are currently subject to procedural and use restrictions pursuant to sections 2217 (performance standards), 2303 (procedures for review) and 2304I (specific criteria) of the Hopewell Township Zoning Ordinance; and

WHEREAS, billboards and free-standing signs are currently subject to restrictions pursuant to Ordinance 2004-1, Article XX, SIGNS which details size, set backs, dimensions, construction, design standards, location, construction methods, maintenance, insurance and permitting; and

WHEREAS, the purpose of this Amendment is to provide for certain permitting and licensing fees for all signs located in Hopewell Township as well as to provide similar restrictions on free-standing signs that contain off-premises advertising as those currently imposed upon billboards.

NOW THEREFORE, based upon the foregoing, be it Enacted and Ordained by the Board of Commissioners for the First Class Township of Hopewell, Beaver County, Commonwealth of Pennsylvania that Hopewell Township Zoning Ordinance, 2004-1 Article XX "SIGNS" is amended by replacing and adding the following sections with the language hereinafter set forth:

SECTION 2001 SIGNS RESTRICTED TO CERTAIN DISTRICTS

A. Billboards (Conditional Use in R-1 and RID Districts Only):

[Replace current Paragraph 16. with the following:]

16. Application Fees

Application for a sign permit/license shall be accompanied by an Application/License Fee in the amount of Five (\$5.00) Dollars per square foot of gross sign

area, per sign face, measured in square feet. The application must be renewed every Two (2) years along with payment of the applicable license renewal fee calculated as described above. This fee may be amended from time to time by Resolution of the Board of Commissioners. The term of the license shall extend from January 1 to December 31st of the following year. If application is made mid year, then the term shall extend only to December 31st of the following year at which point application may be made for a full Two (2) year term. Owners of existing signs to which this section is applicable shall have Sixty (60) days to make application for a sign permit/license and upon failure to do so shall be deemed in violation of the Hopewell Township Zoning Ordinance.

B. Free-standing Sign (C-1, C-2, IP, I, SP, RID, M-U and NSD Districts Only):

[Add the following new Paragraphs:]

8. If a free-standing sign contains any off-premises advertising then the requirements contained in Section 2001 A. Billboards, subsections 12, 13, 14, 16 and 17 of this Article shall be applicable to said sign.

9. Unless otherwise provided herein, no sign shall contain off-premises advertising with the exception of billboard or free-standing signs.

SECTION 2005 ADMINISTRATION AND ENFORCEMENT

[Replace Paragraph B and it's subsections in their entirety with the following:]

B. General Provisions for All Sign Permits:

1. All signs, except those specifically exempted in this Section hereof, shall require a permit before being erected.
2. All sign approval permits shall be filed on application forms provided by the Township and administered by the Zoning Officer. No permit will be issued unless and until the required fee is paid in full and the Application is in compliance with these regulations. Said application shall be accompanied by a Permit/License Fee in the amount of Five (\$5.00) Dollars per square foot of gross sign area, per sign face, measured in square feet. This fee may be amended from time to time by Resolution of the Board of Commissioners.
3. One (1) application form may be used to describe and permit multiple sign installations on the same property, provided that complete information is provided for each sign as required by Subsection C herein.
4. Sign approval permits, with the exception of billboards and free standing signs containing off-premises advertising, are valid until the sign

is replaced, remodeled or structurally altered, in which case a new permit shall be required.

E. Fees for Sign Permit:

[Replace current Paragraph 1. with the following:]

1. Applications for erecting, altering, or moving a sign or signs, as well as the filing of a request for a variance with the Zoning Hearing Board, shall be accompanied by the fees as set forth in this Ordinance Section 2005(B)(2) and any other fees established in the Schedule of Fees adopted by the Township.

REPEALER

All Ordinances or parts of Ordinances of the Township of Hopewell expressly conflicting with the provisions of this Ordinance are hereby repealed only to the extent of such conflict.

ORDAINED and **ENACTED** this 6th day of April, 2009. This Ordinance shall be effective immediately.

ATTEST:



TOWNSHIP OF HOPEWELL

BY: _____


**President, Hopewell Township
Board of Commissioners**