

**ORDINANCE NO. 2016-01**

**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, ARTICLE IV, SECTION 401 TO REZONE PROPERTY IDENTIFIED AS TAX PARCEL NO. 65-050-0101, THE CURRENT SITE OF THE HOPEWELL TOWNSHIP VOLUNTEER FIRE DEPARTMENT, LOCATED AT 1401 GRINGO ROAD/SR 151 FROM C-1 (COMMERCIAL HIGHWAY) TO I-P (INDUSTRIAL PARK); AMENDING THE HOPEWELL TOWNSHIP ZONING ORDINANCE TEXT, ARTICLE XIV, "I-P INDUSTRIAL PARK DISTRICT" TO INCLUDE MUNICIPAL FACILITIES AS A PERMITTED USE UNDER SECTION 1401; AND AMENDING ARTICLE XXII "SUPPLEMENTAL REGULATIONS," SECTION 2205 (HEIGHT REGULATION EXCEPTIONS) TO CLARIFY THAT THE SETBACK REQUIREMENTS SET FORTH THEREIN ARE IN ADDITION TO THOSE PROVIDED IN THE DISTRICT IN WHICH THE BUILDING IS LOCATED**

**WHEREAS**, Hopewell Township received a rezoning request from the Hopewell Township Volunteer Fire Department (HTVFD) to rezone a parcel of land identified as Tax Parcel No. 65-050-0101, a tract of land consisting of approximately one (1) acre, and situate within the zoning district of C-1 (Commercial Highway) to a zoning district of I-P (Industrial Park) identified on Exhibit "A" attached hereto; and

**WHEREAS**, Hopewell Township received a Zoning Ordinance Amendment request from the Hopewell Township Volunteer Fire Department (HTVFD) to add and include "Municipal Facilities" as a permitted use in the Industrial Park District under Section 1401; and

**WHEREAS**, the Hopewell Township Planning Commission and Board of Commissioners have reviewed the proposed Zoning Map and text amendment requests along with the consideration that this map change and amendment will allow for a proposed telecommunications tower as a special exception on the subject property in accordance with the Hopewell Township Zoning Ordinance No. 2004-01 with the possibility for additional revenue therefrom for the use and benefit of the HTVFD; and

**WHEREAS**, the Hopewell Township Planning Commission reviewed the Zoning Map and text amendment requests on November 19, 2015 and made a recommendation to the Board of Commissioners for approval of the amendment requests by correspondence dated November 25, 2015; and

**WHEREAS**, the Beaver County Planning Commission reviewed the Zoning Map and text amendment requests on November 17, 2015 and by correspondence dated November 18, 2015 voiced no objection to the requests; and

**WHEREAS**, the Board of Commissioners of Hopewell Township also deem it necessary to clarify an existing ambiguity in Article XXII "Supplemental Regulations," Section 2205 (Height Regulation Exceptions) to make is clear that these set back requirements are in addition to those provided in the District in which the building is located; and

**WHEREAS**, the Board of Commissioners held a Public Hearing on February 23 2016 as provided by the Hopewell Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code at which time testimony and evidence was received concerning the Zoning Map and text amendment requests and no objections were voiced; and

**WHEREAS**, the Board of Commissioners advertised the Public Hearing and the notice of intent to adopt the Zoning Map and text amendments 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 amendments to the Zoning Map and text of the Zoning Ordinance of the Township of Hopewell, Beaver County, Pennsylvania is in the Township's best interests, the changes requested will not result in a detrimental effect on abutting properties and the changes 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. No. 65-050-0101 and situate within the zoning district of C-1 (Commercial Highway) to a zoning district of I-P (Industrial Park). The amended Zoning map of this area is marked Exhibit "A" and attached hereto and incorporated herein.

**SECTION 2.** Hopewell Township Zoning Ordinance No. 2004-01, Article XIV, I-P Industrial District, is hereby amended to add and include "10. Municipal Facilities" under Section 1401 "Permitted Uses (A.) Principal Uses" in the Industrial Park District.

**SECTION 3.** Hopewell Township Zoning Ordinance No. 2004-01, Article XXII, "Supplemental Regulations," Section 2205 (Height Regulation Exceptions) to add to the end of Section 2205(A) the following sentence: "The setback requirements for these height exceptions are in addition to those provided in the District in which the building is located."

**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 affect 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.

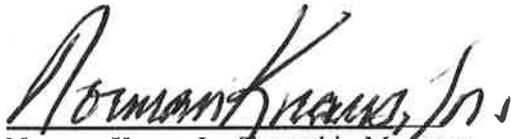
**SECTION 5.**

**Repealer**

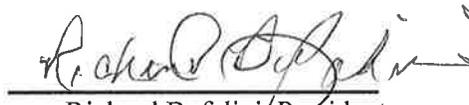
Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.

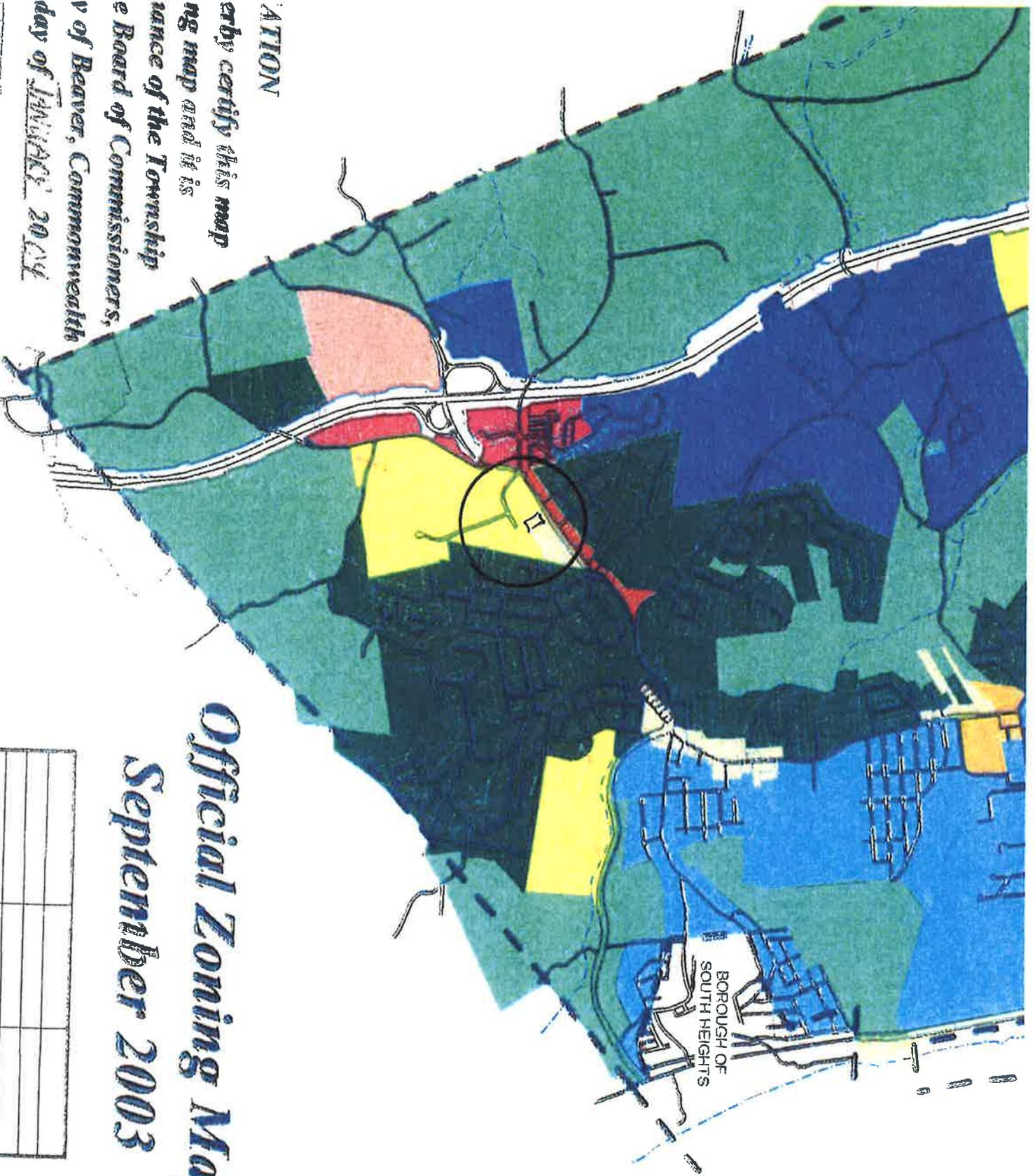
Ordained and enacted this 2nd day of February 2016, by the Board of Commissioners of the Township of Hopewell.

ATTEST:

  
Norman Kraus, Jr., Township Manager

Board of Commissioners  
Hopewell Township

  
Richard Bufalini, President



**ACTION**

*erby certify this map  
ng map and it is  
ance of the Township  
e Board of Commissioners,  
v of Beaver, Commonwealth  
day of JUNE 20 2004*

**Official Zoning Map  
September 2003**

Scale in Feet


EXHIBIT A

BEAVER COUNTY TAX MAP  
W5-050

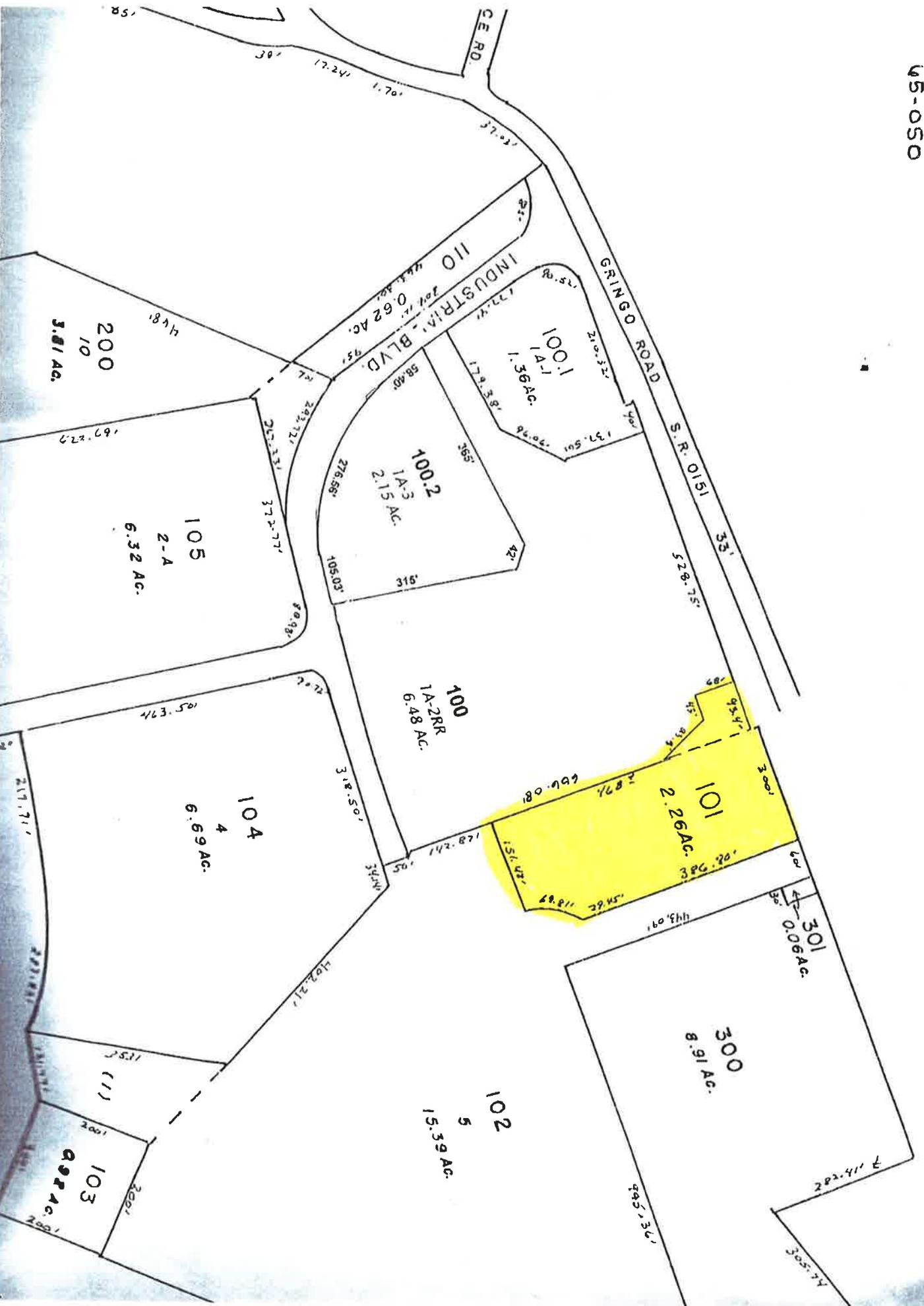


Exhibit "A"

**-TOWNSHIP OF HOPEWELL  
Beaver County, Pennsylvania  
BOARD OF COMMISSIONERS  
BUSINESS MEETING MINUTES**

**7:06pm Business Meeting Called to Order by Mr. Bufalini and he announced that the meeting will be recorded**

**7:06pm PLEDGE OF ALLEGIANCE**

**ROLL CALL 7:06pm**

President Rich Bufalini In Attendance  
Vice President Joe Kusnir In Attendance  
Commissioner David Ciccone In Attendance  
Commissioner Nick DiPietro In Attendance  
Commissioner Gary Tranelli In Attendance

**OTHERS PRESENT**

Norm Kraus, Jr./ Township Manager  
Marie Stratakis Hartman/ P.E. , Engineer/Assistant Manager  
Mike Jones ( McMillen, Urick, Tocci and Jones) Township Solicitor

**7:07 pm CITIZEN COMMENTS PERTAINING TO THE BUSINESS AGENDA None**

**7:07pm PUBLIC HEARINGS At this time, the Board of Commissioners and Solicitor Mike Jones began the meeting by holding public hearings to consider three zoning ordinance amendments and the DeMary conditional use request hearing. These hearings were advertised in the February 14<sup>th</sup> and 15<sup>th</sup> editions of the Beaver County Times. The hearings have been tape recorded and are available in the township archives.**

**7:15pm**

Mr. Ciccone Motion to pass Ordinance No. 2016-01, 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. Article IV, Section 401 to rezone property identified as Tax Parcel No. 65-050-0101, the current site of the Hopewell Township Volunteer Fire Department, located at 1401 Gringo Road, SR 151, From C-1 (Commercial Highway) to I-P (Industrial Park); amending the Hopewell Township Zoning Ordinance text, Article XIV, "I-P Industrial Park District" to include Municipal facilities as permitted use under Section 14021; and amending Article XXII "Supplemental Regulations" Section 2205 (Height Regulation Exceptions) to clarify that the setback requirements set forth therein are in addition to those provided in the District in which the Building is located.

Mr. DiPietro Second the Motion

Roll Call Vote:

Mr. Tranelli Yes  
Mr. Ciccone Yes  
Mr. DiPietro Yes  
Mr. Kusnir Yes  
Mr. Bufalini Yes

Motion Carried