

AFFIDAVIT OF PUBLICATION

DISTRIBUTED

The Borough of Sayre will hold a **Public Hearing** to consider the adoption of a Zoning Ordinance amendment and a Comprehensive Rezoning Map to be held at the Sayre Public Works /EOC Building at 321 South Thomas Avenue, Sayre, Pennsylvania, on the 24th day of **April 2013 at 6:00 p.m.**

A summary of the Zoning Ordinance Amendments read as follows:

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF SAYRE, ZONING, IN THE BOROUGH OF SAYRE, BRADFORD COUNTY, PENNSYLVANIA.

The Borough of Sayre hereby ordains and enacts as follows:

1. Designation of Districts - Zoning Map change to Section 173-7 adding Business Incubator (BI) District and changing Floodplain/Conservation to Conservation only;
2. Current Zoning Map prepared April 2008 prepared by Bradford County Planning Office;
3. Proposed Zoning Map prepared March 25, 2013 prepared by Bradford County Planning Office;
4. Proposed approximately twenty (20) map changes throughout the Borough that are outlined in the attached map change descriptions;
5. Amendment for the creation of a Business Incubator District;
6. Amendment for the change from Floodplain Conservation to Conservation District; and
7. Definition of Incubator.

PROPOSED SAYRE ZONING MAP CHANGE DESCRIPTIONS

- 1) Enterprise Center and Capece Property – Parcel No. 33-20.17-489-000-000(Sayre Incubator Inc.); 33-20.17-488-000-000 (Robert J. Capece); 33-20.17-488-001-000 (Robert J. Capece); and 33-20.17-637-000-000 (Steven Webster) [Total=4]
 - a) Location : north Madison Street, east South Lehigh, Borough south Boundary line and west South Elmer Avenue.
 - b) Zoning Change: Currently zoned Industrial (I) and will be re-zoned to Business Incubator District (BI)
- 2) Agnew Property (Furman & Jones Garage – South Keystone Ave) - Parcel Nos. 36-20.22-623-000-000; 36-20.22-631-000-000; 36-20.22-632-000-000; 36-20.22-641-000-000; and Parvin Mensch - 36-20.22-626-000-000 [Total=5]
 - a) Location: north Linden, west Linden, south Lake and west Keystone Avenue
 - b) Zoning Change: Currently zoned Single Family Residential (RS) and will be re-zoned as Light Commercial (CL) for the Agnew and Mensch properties that are currently zoned Single Family Residential (RS).
- 4) Avery Dennison Corp., and Pennsylvania Electric, Petruschak, and Brown Properties (South Thomas Avenue) – Parcel Nos. 37-20.21-026-000-000 (Robert Petruschak, Jr.); 37-20.21-025-000-000(Kevin D. Brown); 37-20.21-024-000-000 (Packaging Systems Corp.); 37-20.21-023-000-000 (Avery Dennison Corp); 37-20.21-022-000-000 (Pennsylvania Electric Co.); and 37-20.21-021-000-000(Pennsylvania Electric Co.) [Total=6]

- a) Location: North East Hayden, east Borough property, south Borough Property, west South Thomas Avenue
- b) New Zoning Change: Currently zoned Light Commercial (CL) and will be re-zoned as Business Incubator (BI).

5) **Lockhart Street (south side)** - Parcel Nos. 33-20.22-261-000-000 (Jack R. Wheeler)(Endless Mountain Bakery Café Too); 33-20.22-262-000-000(Alan Hoyt and John Snell)(Peoples State Bank); 33-20.22-265-000-000 (Steven Crain); 33-20.22-266-000-000 (Steven Crain); and 33-20.22-267-000-000 (Karen Jaggars)(Dentist Office); [TOTAL = 5]

- a) Location: (south side of Lockhart Street) between South Elmer and South Wilbur
- b) Zoning Change: Currently zoned Single/Double Family Residential (RT) to be re-zoned as Downtown Commercial (CD).

Properties on east side of Wilbur Avenue between Lockhart Street and Packer Avenue – Parcel Nos. 33-20.22-256-001-000 (Twin Tier Management Corp); 33-20.22-269-000-000 (Robert Packer Hospital); and 33-20.22-270-000-000 (Robert Packer Hospital); [TOTAL = 3]

- a) Location: (east side of Wilbur Avenue) between Lockhart Street and Packer Avenue
- b) Zoning Change: Currently zoned Single/Double Family Residential (RT)to be re-zoned as Downtown Commercial (CD).

Savre Public Library – Parcel No. 33-20.22-251-000-000;

- a) Location: On the corner of West Packer Avenue and South Elmer Avenue
- Zoning Change: Currently zoned Single/Double Family Residential (RT) to be re-zoned as Downtown Commercial (CD).

120 South Elmer Avenue (Brenda L. Hamilton Keene)
Parcel Nos. 33-20.22-253-000-000;

- b) Location: On South Elmer Avenue between the library and Langan’s CVS Pharmacy
- Zoning Change: Currently zoned Single/Double Family Residential (RT) to be re-zoned as Downtown Commercial (CD).

6) **First Citizens Community Bank Property - Parcel Nos. 34-20.22-012-000-000**

- a) Location: northwest Allison Street, northeast North Wilbur Avenue, south on West Lockhart Street
- Zoning Change: Currently zoned Single/Double Family Residential (RT)to be re-zoned as Downtown Commercial (CD).

7) **Epiphany School Property (Diocese of Scranton) - Parcel No. 34-07.11-099-000-000**

- a) Location: west Toolan Lane, north Stevenson Street,
- Zoning Change: Currently zoned Single Family Residential (RS) to be re-zoned as Conservation (C). Note: the Floodplain/Conservation is being changed to Conservation.

8) **A. The Morning Times (SMG08LLC)- Parcel no. 34.07-012-543-000**

- a) Location: (west side of Lehigh Avenue) on the corner of Cross Street and Lehigh Avenue
- Zoning Change: Currently zoned Light Commercial (CL) to be re-zoned as Downtown Commercial (CD).

9) 718 North Lehigh Avenue (Original Italian Grille) – Parcel No. 35.07-012-546-000

- a. Location: Intersection of North Lehigh Avenue and Spring Street
- Zoning Change: Currently zoned Light Commercial (CL) to be re-zoned as Highway Commercial (HD).

12) Spring Street (east side) – Parcel No. 35.07-006-140-000(Ferrario Realty Inc.); 35.07-006-142-000(Croft Lumber Company Inc.); 35.07-006-143-000 (Loren E. Frantz, Trustee); 35.07-006-145-000(Lloyd Richards); and 35.07-006-147-000 (Marie H. Bisgrove) [Total=5]

- a. Location: from the Original Italian Grill to Milltown Bridge (Cayuta Street)
- b. Zoning Change: Currently zoned Industrial (I) to be re-zoned as Highway Commercial (HC). (Ferrario Auto, Croft Lumber Company Apartment, Frantz, Lloyd, and Bisgrove)

13) Spring Street (west side) – Parcel No. 35.07-006-126-000 (Randy B. Williams)

- a. Location: Parcel on the corner of Lehigh and Spring Street
- b. Zoning Change: Currently zoned Light Commercial (CL) to be re-zoned as Highway Commercial (HC). (gas station)

14) North Lehigh Avenue (east side) – Parcel No. 35.07-006-126-001 (X-tra Storage, Inc.); 35.07-006-127-000 (Greater Valley EMS); 35.07-006-128-000 (Greater Valley EMS); 35.07-006-130-000 (Greater Valley EMS); and 35.07-006-131-000 (Leonard Torres) [Total=5]

- a. Location: (from Mohawk Street to Bradford Street)
- b. Zoning Change: Currently zoned Light Commercial (CL) to be re-zoned as Highway Commercial (HC). (Greater Valley EMS, X-tra Storage, Torres)

16) North Wilbur Avenue - Parcel Nos. 34.07-005-011-001(Guthrie Healthcare System); and 34.07-005-011-000 (Sayre Healthcare Center) [Total=2] (1 Notices) (Second Notice included in parcel 5)

- a. Location: north Bradford, east North Elmer Avenue, and west South Wilbur
- b. Zoning Change: Currently zoned Highway Commercial (HC) to be re-zoned as Medical Campus (MCC).

17) North Elmer Avenue (Vacant Robert Packer Hospital)– Parcel No. 34.07-005-011-002

- a. Location: North by Bradford Street West by North Elmer Avenue (South of Keystone Manor)
- b. Zoning Change: Currently zoned Multi-Family Residential (RM) to be re-zoned Medical Campus (MCC).

18) Bradford Street – (Vacant Robert Packer Hospital)– Parcel No. 34.07-006-079-000

- a. Location: north Bradford Street, east by North Lehigh, and west by vacated alleyway.
- b. Zoning Change: Currently zoned Light Commercial (CL) to be re-zoned as Medical Campus (MCC).

20) Sayre Theatre– (Mollie Caplan, Presbyterian Church) Parcel No. 33.20-022-239-000 (Mollie Caplan); 33.20-022-241-000(Mollie Caplan); 33.20-022-238-000(Presbyterian Church); 33.20-022-237-000 (Bradford County Regional Arts); and 33.20-022-236-000(Bradford County Regional Arts Council) [Total=5]

- a. Location: west South Elmer Avenue, north West Packer Avenue, east Chacona Lane including on the south the Sayre Theatre vacant lot across from Park Place.
- b. Zoning Change: Currently zoned Light Commercial (CL) to Downtown Commercial(CD)

A copy of said Ordinances and map may be examined in the office of the Morning Times, 201 N. Lehigh Avenue, Sayre, Pennsylvania, and Sayre Borough Hall, 110 West Packer Avenue, Sayre, Pennsylvania. After said ordinance has been adopted they may be viewed at the Bradford County Law Library, Bradford County Courthouse, Towanda, Pennsylvania, during regular business hours.

*Any person with a disability requiring a special accommodation to attend a Council meeting should notify the Borough Secretary at (570) 888-7739 as early as possible but not later than three (3) working days prior to the meeting. The Borough will make every effort to provide reasonable accommodations.

JONATHAN P. FOSTER, SR., ESQUIRE
Sayre Borough Solicitor
PO Box 400
2268 Elmira Street
Sayre, PA 18840

ATTEST:

David M. Jarrett, Borough Secretary

Publish: Saturday, April 6, 2013 and Saturday, April 13, 2013

Designation of Districts

BOROUGH OF SAYRE ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER NO.173, ZONING OF THE CODE OF THE BOROUGH OF SAYRE, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA

The Borough of Sayre hereby ordains and enacts as follows:

Under ARTICLE III. Designation of Districts of the Code of the Borough of Sayre, hereby **deletes** the following:

Article III. DESIGNATION OF DISTRICTS

§ 173-7. Zoning districts.

For the purpose of this chapter, the Borough is hereby divided into districts which shall be designated as follows:

Single-Family Residential RS District (See Article IX.)

Single/Double-Family Residential RT District (See Article X.)

Multifamily Residential RM District (See Article XI.)

Rural Residential RR District (See Article XII.)

Light Commercial CL District (See Article VI.)

Downtown Commercial CD District (See Article IV.)

Highway Commercial HD District (See Article V.)

Industrial I District (See Article XIII.)

Floodplain/Conservation C District (See Article VII.)

Medical Campus MCC District (See Article VIII.)

§ 173-8. Zoning Map.

The boundaries of the Medical Campus MCC, Downtown Commercial CD, Highway Commercial HC, Light Commercial CL, Floodplain/Conservation C,

Rural Residential RR, Single/Double-Family Residential RT, Multifamily Residential RM, Single-Family Residential RS and Industrial I Districts shall be shown upon the map attached to and made a part of this chapter which shall be designated "Zoning Map." Said Map and all the notations, references and other data shown thereon are hereby incorporated by reference into this chapter as if all were fully described herein.

Under ARTICLE III. Designation of Districts of the Code of the Borough of Sayre, hereby **adds** the following:

Article III. DESIGNATION OF DISTRICTS

§ 173-7. Zoning districts.

For the purpose of this chapter, the Borough is hereby divided into districts which shall be designated as follows:

Single-Family Residential RS District (See Article IX.)

Single/Double-Family Residential RT District (See Article X.)

Multifamily Residential RM District (See Article XI.)

Rural Residential RR District (See Article XII.)

Light Commercial CL District (See Article VI.)

Downtown Commercial CD District (See Article IV.)

Highway Commercial HD District (See Article V.)

Industrial I District (See Article XIII.)

Conservation C District (See Article VII.)

Medical Campus MCC District (See Article VIII.)

Business Incubator BI District (See Article XIII.)

§ 173-8. Zoning Map.

The boundaries of the Medical Campus MCC, Downtown Commercial CD, Highway Commercial HC, Light Commercial CL, Conservation C, Rural Residential RR, Single/Double-Family Residential RT, Multifamily Residential RM, Single-Family Residential RS, Industrial I Districts, and Business Incubator BI District shall be shown upon the map attached to and made a part of this chapter

which shall be designated "Zoning Map." Said Map and all the notations, references and other data shown thereon are hereby incorporated by reference into this chapter as if all were fully described herein.

THIS ORDINANCE shall take effect immediately upon adoption.

ENACTED AND ORDAINED BY THE BOROUGH OF SAYRE, this _____,
day of _____, 2013.

Henry G. Farley, President
Sayre Borough Council

ATTEST

Elizabeth Fice, Assistant Secretary

APPROVED THIS _____ DAY OF _____ 2013.

Michael D. Thomas, Mayor

DEFINITIONS

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF SAYRE, ZONING, IN THE BOROUGH OF SAYRE, BRADFORD COUNTY, PENNSYLVANIA.

The Borough of Sayre hereby ordains and enacts as follows:

Under Section 173-6, Definitions, of the Code of the Borough of Sayre, hereby adds the following:

BUSINESS INCUBATOR – A conglomeration of mixed use consisting of start-up business and/or industry that nurtures the development of entrepreneurial companies helping them survive and grow during the start-up period when they are most vulnerable. Business Incubators create jobs in a community, enhance a community's entrepreneurial climate retaining business in the community, build or accelerate growth in local industry and diversify local economics.

This Ordinance shall take effect immediately upon adoption.

ENACTED AND ORDAINED BY THE BOROUGH OF SAYRE THIS _____ DAY OF _____, 2013

Henry G. Farley, President

ATTEST:

David M. Jarrett
Borough Secretary

Michael D. Thomas, Mayor

Conservation C District

BOROUGH OF SAYRE ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER NO.173, ZONING OF THE CODE OF THE BOROUGH OF SAYRE, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA

The Borough of Sayre hereby ordains and enacts as follows:

Under ARTICLE VII. Floodplain/Conservation C District of the Code of the Borough of Sayre, hereby **deletes** the following:

§ 173-33. Intended purpose.

The Floodplain/Conservation C District is designed to protect areas in the Borough for the preservation and conservation of the natural environment, permit and encourage the retention of forested and steep-sloped areas, water and wildlife resources while permitting public and recreational uses.

§ 173-34. Permitted uses.

Permitted uses in the Floodplain/Conservation C District are as follows:

- A. Parks.
- B. Public uses.
- C. Recreation, public.
- D. Schools and playgrounds.
- E. Open space.
- F. Public grounds.

Under ARTICLE VII. Conservation C District of the Code of the Borough of Sayre, hereby **adds** the following:

§ 173-33. Intended purpose.

The Conservation C District is designed to protect areas in the Borough for preservation and conservation of the natural environment, permit and encourage the retention of forested and steep sloped areas, water and wildlife resources while

permitting public and recreational uses. This District also includes public uses such as the Sayre Public Works Department, the Sayre Recycling Center, Public Schools, and Private Schools.

§ 173-34. Permitted uses.

Permitted uses in the Conservation C District are as follows:

A. Parks.

B. Public uses (cemeteries).

C. Recreation, public.

D. Schools and playgrounds.

E. Open space.

F. Public grounds.

G. Cemeteries

THIS ORDINANCE shall take effect immediately upon adoption.

ENACTED AND ORDAINED BY THE BOROUGH OF SAYRE, this _____,
day of _____, 2013.

Henry G. Farley, President
Sayre Borough Council

ATTEST

Elizabeth Fice, Assistant Secretary

APPROVED THIS _____ DAY OF _____ 2013.

Michael D. Thomas, Mayor

BUSINESS INCUBATOR (BI) DISTRICT

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF SAYRE, ZONING, IN THE BOROUGH OF SAYRE, BRADFORD COUNTY, PENNSYLVANIA.

The Borough of Sayre hereby ordains and enacts as follows:

Article XIII (A). BUSINESS INCUBATOR BI DISTRICT

ARTICLE XIII (A). Business Incubator (BI) District

§ 173 -87(A). Intended purpose.

§ 173-87 (B) . Permitted uses.

§ 173-87 (C). Permitted accessory uses.

§ 173-87 (D) Special uses.

§ 173-87 (E). Height regulations.

§ 173-87 (F). Lot area, lot width and impervious coverage.

§ 173-87 (G). Setback regulations.

§ 173-87 (A). Intended purpose.

The purpose of the Business Incubator (BI) District is to designate an area for a Business Incubator and limited Light Manufacturing for properties that have historically been used for Light Manufacturing activities while surrounded by residential properties. The major property is the Enterprise Center which is used to develop new businesses in order to later move to larger facilities. The remaining property shall continue as Light Manufacturing. In addition, the Business Incubator (BI) District shall include six (6) properties on South Thomas Avenue between Hayden Street and the Sayre Borough property. These properties have been traditionally used for Light Manufacturing and contractor storage.

§ 173-87 (B). Permitted uses.

A. Permitted uses in the Business Incubator (BI) District are as follows:

- (1) Day Care
- (2) Educational Institution
- (3) Institution
- (4) Manufacturing/including inside Assembly/small Machine Shops
- (5) Manufacturing – i.e. garment, lingerie, soap
- (6) Offices, business

BUSINESS INCUBATOR (BI) DISTRICT

- (7) Offices, professional
- (8) Parking Area
- (9) Photo processing, printing and laboratories
- (9) Photographic equipment and supplies
- (10) Personal services, including notary
- (11) Professional, business and technical schools and schools and studios for photography, and art
- (12) Professional Offices
- (13) School
- (14) Storage Facility e.g. Medical files/furniture/building supplies and materials
- (15) Specialty shops (sale of one particular type of merchandise, i.e., antiques)
- (18) Studio
- (19) Studio, Dancing, or Music
- (20) Business Incubator

§ 173-87 (C). Permitted accessory uses.

Permitted accessory uses in the Business Incubator (BI) District are as follows:

- A. Accessory storage within a wholly enclosed permanent building, of materials, goods and supplies.

BUSINESS INCUBATOR (BI) DISTRICT

B. Customary buildings and uses accessory to the main use or building.

C. Private garage or private parking area.

D. Truck loading space subject to recommended standards.

E. Signs.

§ 173-87 (D). Special uses.

The following special exceptions may be permitted by the Zoning Hearing Board, following review and comment by the Planning Commission, pursuant to standards and criteria as set forth in Articles XIV and XX herein:

A. [RESERVED]

§ 173-87 (E). Height regulations.

A. No building shall exceed fifty (50) feet in height.

§ 173-87 (F). Lot area, lot width and impervious coverage.

A. Unless otherwise specified herein, lot area, lot width and impervious coverage requirements of the following dimensions shall be provided for each structure or use hereafter erected, established or altered for any use permitted within this district.

B. Maximum impervious coverage (building and parking lot): 90%

C. At least 10% of the lot shall be maintained in a vegetative cover.

§ 173-87 (G). Setback regulations.

The following setback regulations apply to all uses permitted within this district unless otherwise specified herein:

A. Front yard: 25 feet. Exception: Where buildings exist in the same block on either side of the street, the setback line of the building to be constructed shall be provided in accordance with §173-92 herein.

B. Side yards: 10 feet.

C. Rear yard: 25 feet except when abutting a residential district then the rear yard shall be 30 feet.

D. Where required, buffer yards/screening shall be provided in accordance with §173-93 herein.

BUSINESS INCUBATOR (BI) DISTRICT

§ 173-87(H) Off-street parking and access.

Off-street parking and access shall be provided in accordance with Article XVI herein and the Bradford County Subdivision and Land Development Ordinance, as amended.

This Ordinance shall take effect immediately upon adoption.

ENACTED AND ORDAINED BY THE BOROUGH OF SAYRE THIS _____ DAY
OF _____, 2013.

Henry G. Farley, President

ATTEST:

David M. Jarrett
Borough Secretary

Michael D. Thomas, Mayor