

1.0 GENERAL PROVISIONS

1.1 TITLE AND AUTHORITY

This Chapter shall be known and may be cited as the "City of Saratoga Springs Zoning Ordinance" and is enacted pursuant to Article 2A, Chapter 20.24 and 25 of the General City Law.

1.2 ADOPTION OF ZONING MAP AND OVERLAYS

The "Zoning Map of the City of Saratoga Springs, New York" and overlay districts, as described within this Chapter, are hereby incorporated as part of this Ordinance.

1.3 INTENT AND PURPOSES

A. The intent of this Chapter is to encourage appropriate and orderly physical development; promote public health, safety, and general welfare; classify, designate and regulate the location and use of buildings, structures and land for agricultural, residential, commercial, industrial or other uses in appropriate places; and to divide the City of Saratoga Springs into districts of such number, shape and areas as may be deemed best suited to carry out these regulations and provide for their enforcement.

B. The regulations and district boundaries identified in this Chapter and upon the Zoning Map are made with the following additional purposes:

1. Facilitation of efficient, economical, and adequate provision of public utilities and services;
2. Assurance of adequate sites for residential, agricultural, industrial, commercial and other appropriate uses;
3. Provision of privacy for families and the maximum protection of residential areas;
4. Prevention and reduction of traffic congestion so as to promote efficient and safe circulation of vehicles and pedestrians;
5. Gradual elimination of nonconforming uses;
6. Conservation of the taxable value of land and buildings while enhancing the appearance of the City of Saratoga Springs as a whole;
7. Encouragement of flexibility in the design and development of land;
8. Protection of the general environment in compliance with the objectives of applicable Federal and State statutory and regulatory programs;
9. Protection of the natural resources of the community including but not limited to the protection of the water resources of the City;
10. Safeguarding the heritage of the City of Saratoga Springs by preserving districts and landmarks in the City which reflect elements of its cultural, social, economic, political, artistic and architectural history;
11. Promoting the use of historic districts and landmarks for the education, pleasure and welfare of the citizens of the City.

1.4 CONSISTENCY WITH COMPREHENSIVE PLAN

The City of Saratoga Springs Zoning Ordinance is consistent with the adopted Comprehensive Plan. Any amendments to this Chapter and all development approvals shall be consistent and in accordance with the adopted Comprehensive Plan.

An amendment to this Chapter, whether text or district boundary, is consistent and in accordance with the Comprehensive Plan if it complies with the goals, objectives, policies, and strategies and any vision statement contained in the Comprehensive Plan.

1.5 APPLICABILITY AND CONFORMITY

A. This Chapter applies to all land, uses and structures situated within the City of Saratoga Springs. This Chapter and associated maps shall be kept in the Office of the City Clerk and shall be made available to the public.

B. No land shall be created, modified or used unless in a manner expressly permitted and in conformity with the regulations and district boundaries of this Chapter.

C. No structure shall be erected, moved, modified or used unless in a manner expressly permitted and in conformity with the regulations and district boundaries of this Chapter.

1.6 EXEMPTION FOR CERTAIN GOVERNMENT ACTIVITIES

A. Whenever an action is proposed by any Federal or State agency, department, branch or division of the United States or New York State which involves the exercise of direct governmental functions consistent with the purposes and jurisdiction of such agency, department, branch or division of the United States or New York State, such action shall be exempt from the provisions of this Chapter.

B. Any action proposed by any Federal or State agency, department, branch or division of the United States or New York State which is proprietary in nature and does not involve the exercise of its governmental functions shall fully conform with all of the requirements and procedures set forth in this Chapter.

C. Any action proposed by the City of Saratoga Springs, regardless of whether it is governmental or proprietary, shall be exempt from the provisions of this Chapter. Notwithstanding this exemption, the City may seek non-binding advisory review from any City land use board for any proposed City action.

D. Any action proposed by any other local municipality or governmental entity, regardless of whether it is governmental or proprietary, shall fully conform with the provisions of this Chapter.

E. All such proposed actions shall be referred to the Zoning Officer for review. After review, the Zoning Officer shall determine whether the proposed action is eligible for exemption.

1.7 INTERPRETATION OF DISTRICT BOUNDARIES

Where there is uncertainty as to the boundary of any district contained within this Chapter or as shown on City maps, the following rules shall apply:

A. Unless shown to the contrary on a City map, the boundary lines of districts are the center lines of streets, or such lines extended, the center lines of railroad rights-of-way, the center lines of creeks and waterways.

B. Where district boundaries are indicated as approximately following the City boundary line, lot lines, or projections thereof, said boundaries shall be construed to be coincident with such lines.

C. If a center line or right-of-way line of a street, highway, railroad, public utility, or watercourse, which is approximately coincident with a district boundary, is moved up to a distance of 50 feet, the district line shall be automatically adjusted to be coincident with such line.

D. Where a zoning district boundary line divides a lot or land in single ownership as existing at the time of this enactment, the district requirements on either side of the boundary may be construed, at the property owner's option, as extending into the remaining portion of the property for a distance not exceeding 100 feet.

1.8 WORD USAGE

As used in this Chapter:

A. The masculine includes the feminine; the singular includes the plural; and the present tense includes the future tense.

B. The word "person" includes an individual, firm or corporation.

C. The word "shall" is always mandatory.

D. The word "lot" includes the word "plot" or "parcel."

E. The words "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended or designed to be used or occupied."

G. A building or structure includes any part thereof.