

ARTICLE 1 TITLE AND PURPOSE

SECTION 1.01 TITLE

This Ordinance is enacted under Article 16 of the Town Law of the State of New York, being Chapter 634 of the Laws of 1932 as amended, in order to regulate the use of land and the use, size and location of buildings and structures in the Town of Schuyler and shall be known and may be cited as the "Town of Schuyler Zoning Ordinance".

SECTION 1.02 SHORT TITLE

This "Town of Schuyler Zoning Ordinance" may hereinafter be referred to as "this Zoning Ordinance" or "this Ordinance".

NOTE: Any reference in this document to the "Town" shall be interpreted as meaning the "Town of Schuyler".

SECTION 1.03 PURPOSE

It is the intent of this Zoning Ordinance to promote the public health, safety and general welfare of the Town of Schuyler residents by accomplishing the following:

- A. Accommodate and promote land uses which are compatible with the Town of Schuyler's character and conserve the property values and long term stability of residential neighborhoods, agricultural area, commercial districts and special districts.
- B. Encourage use of the lands and natural resources in accordance with their character and capability, thus preserving the sensitive and important environmental features in the Town, such as wetlands, prime farmland, scenic public views, topography, open space and wildlife habitat. This Ordinance acknowledges the importance of these features on the long term economic climate of all uses in the Town of Schuyler and the overall quality of life for its residents.
- C. Limit or prohibit uses of land which are incompatible with existing or permitted uses in each zoning district and establish controls over potentially conflicting land uses and uses which may need special regulations in order to be compatible with surrounding development patterns and zoning.
- D. Provide protection against flood, explosion, noise, noxious fumes and other hazards in the interest of the public health, safety, convenience and general

welfare.

- E. Promote safe conditions for motorists, pedestrians and bicyclists by maintaining an acceptable level of service along streets and at driveways within the Town, while ensuring property owners with reasonable, though not always direct, access to property.
- F. Regulate the intensity of use of property in the Town and provide standards for location of buildings through the use of minimum lot area, lot coverage, height and setback requirements.
- G. Promote the gradual elimination of uses, buildings and structures which do not conform with the regulations and standards of this Ordinance.
- H. Provide for administration of this Ordinance, including resolving conflicts with other ordinances, collection of fees, procedures for petitions, hearings and appeals; and to provide for any other matters authorized by Town Law of the State of New York.
- I. Balance the Town's right to compatible and quality development with the property owners' right to a reasonable rate of return on their investment.
- J. Conserve the taxable value of property in the Town, while promoting and protecting the public health, safety and general welfare of the residents.

SECTION 1.04 CONFLICT

Whenever any provision of this Ordinance imposes a greater requirement or higher standard than is required in any state or federal statute, the provision of this Ordinance shall govern. Whenever any provision of any state or federal statute imposes a greater requirement or higher standard than is required by this Ordinance, the provision of such state or federal statute shall govern.

SECTION 1.05 VALIDITY AND SEVERABILITY

This Ordinance and the various components, articles, sections, subsections, sentences and phrases are hereby declared to be severable. If any court of competent jurisdiction shall declare any part of this Ordinance to be unconstitutional or invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling. Further, if any court of competent jurisdiction shall declare unconstitutional or invalid the application of any provision of this Ordinance to a particular parcel, lot, use, building or structure, such ruling shall not affect the application of said provision to any other parcel, lot, use, building or structure not specifically included in said ruling.