

ZONING

235 Attachment 1

Town of Montgomery

Table of Use Regulations

[Amended 4-18-2022 by L.L. No. 6-2022; 10-6-2022 by L.L. No. 10-2022; 2-28-2023 by L.L. No. 2-2023]

KEY:

P = Permitted use;

SU = Special use permit (and site plan approval) required;

SP = Site plan approval required;

All other uses are prohibited

Use Classification	RA-CE	RA-0.5	RA-1	RM-1	R-MHC	MHP-AR	Crossroads Overlay	B-1	B-2	B-3	I-1	I-2	I-3	WS	BP
A. Residential Uses															
Single-family detached dwelling		P	P	P						P ⁽¹⁾		SU			
Two-family detached dwelling; one-family semidetached dwelling			P	P						P ⁽¹⁾					
Single-family attached dwelling			SU	SU											
Multiple dwelling				SU											
Conversion of existing residential structure into a multifamily dwelling		SU	SU	SU											
Age-restricted mobile home parks						SU									
Licensed mobile home court					SU										
Planned adult community (PAC)			SU												
Campground		SU	SU	SU						SU		SU			
Integrated residential, agricultural and light industrial community	SU														SU
B. Residential Community Facilities															
Church or similar place of worship, parish house, seminary, convent, dormitory	SU	SU	SU	SU	SU	SU				SU		SU			
Daycamp		SU	SU	SU						SU		SU			
Fire station, municipal office or other governmental building		SU	SU	SU				SU	SU	SU	SU	SU	SU		
Golf course, country club on site of not less than 50 acres		SU	SU	SU						SU		SU			
Municipal public works building		P	P	P	P	P		P	P	P	P	P	P		
Nursery school	SU	SU	SU	SU	SU			SU	SU	SU		SU	SU		
Park, playground or recreational area operated by the municipality	SU	P	P	P	P	P		P	P	P	P	P	P		
Public library, museum, community center	SU	SU	SU	SU	SU	SU		SU	SU	SU		SU	SU		
School, elementary or high, public, denominational or private	SU	SU	SU	SU	SU			SU	SU	SU		SU			
Senior assisted care facility		SU	SU	SU						SU		SU	SU		
C. General Community Facilities															
Airport												SP			
Bus passenger shelter	SU	SU	SU	P				P	P	SU	P	P	P		
Cemetery	SU	SU	SU	SU							SU	SU	SU		
College, university		SU	SU	SU				SU	SU	SU	SU	SU	SU		
Heliport											SU	SU			
Hospital, sanitarium, nursing home, rest home		SU	SU	SU				SU	SU	SU			SU		SU
Membership club - nonprofit		SU	SU	SU				SU	SU	SU		SU			SU
Philanthropic, fraternal or social organization office or meeting room		SU	SU	SU				SU	SU	SU		SU			SU
Public passenger, transportation station or terminal								SU			SU	SU	SU		

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Public utility structure or right-of-way, excluding business office, repair or storage of equipment excluding wastewater treatment plants, water storage tanks and related accessory improvements	SU	SU	SU	SU	SU	SU		SU	SU	SU	SU	SU	SU		SU
Sewage or wastewater treatment plant	SU	SU	SU	SU	SU	SU		SU	SU	SU	SU	SU	SU		SU
Small utility structures located partially or wholly above ground (see § 235-11.11)	P	SP	SP	SP	SP	SP		SP	SP	SP	SP	SP	SP		SU
D. Accessory Uses to Agricultural, Community Facility, and Residential Uses															
Customary structure and/or use accessory to a residence	P	P	P	P	P	P				P		P			
Agricultural workers housing accessory to a farm operation in an agricultural district as provided for under NYS Agriculture and Markets Law	P	P	P	P	P	P		P	P	P	P	P	P	P	
Home veterinarian office or breeding kennel, including open space pens, for the treatment and/or housing of domestic pets		SU								SU					
Accessory dwelling use including tiny homes and ECHO housing		P	P	P						P					
Antique shops or craft shops in existing historic outbuildings		SP	SP	SP						SP		SP			
Aviation-related hangars, taxiways, and other ancillary support structures and equipment accessory to a single-family detached residence maintaining a residential through-the-fence agreement with the Orange County Airport												SP			
Home occupation		P	P	P	P	P				P		P			
Home professional office		P	P	P	P	P				P		P			
Private garage or private off-street parking area pursuant to § 235-12	P	P	P	P	P	P				P		P			
Private swimming pool		P	P	P						P		P			
Roadside markets for the sale of farm products produced on the premises accessory to a farm operation in an agricultural district	P	P	P	P	P	P		P	P	P	P	P	P	P	
Signs pursuant to § 235-13	SP	SP	SP	SP	SP	SP				SP					
E. Business Uses															
Agricultural supply		SU					SP	SP	SP			SU	SU		SU
Agricultural supportive business	P	P					P	P	P	P	P	P	P		P
Agriculture, equestrian facilities, horticulture, field crops, dairy and poultry farming, and raising of livestock	P	P	P	P	P	P		P	P	P	P	P	P		P
Air services, fixed-base operators, flight schools, aviation colleges, aviation repair and maintenance, hangars, aviation refueling facilities												SP			SP
Animal hospital, animal boarding							SU	SP	SU	SP	SP	SP			SP
Antique, crafts and specialty food shops							SP			SP					
Arena								SU	SU			SU	SU		SU
Assembly hall										SU		SU			SU
Automobile laundries								SP	SU						
Bank								SP	SP	SU					SU
Bowling alley								SP	SU	SU		SU			SU
Building supply							SP	SP	SP			SU	SU		SU
Business incubator flex space (commercial)								SU	SU	SU		SU			SU
Catering hall							SU	SU	SU	SU		SU	SU		SU
Commercial public recreation uses not otherwise permitted								SP	SU	SU		SU	SU		SU
Conference center								SU	SU	SU		SU	SU		SU
Eating establishments: drive-in, open-front, or curbside service								SP	SU						SU

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Full-service truckstops which must include a restaurant, restrooms, fuel service and motel accommodations with a minimum of 20 bedrooms. The use may include auto/truck repair facilities and/or convenience store and/or truck wash.								SU			SU				
Funeral home							SP	SP	SP						
Gasoline station with or without a convenience store							SU	SP	SU	SU		SU			
General store, convenience store, delicatessens							SP	SP	SP	SP		SP	SP		
Health clubs and fitness centers								SP	SP	SU		SU	SU		SU
Hotel, motel								SU	SU	SU		SU	SU		SU
Horticulture, Specialty															SU
Landscape supply, nurseries, garden centers,		SU					SP		SP	SP		SU	SU		SU
Liquefied petroleum gas (LPG) gasoline station								SU			SU	SU	SU		
Motor vehicles, mobile home or boat salesroom or outdoor sales lot for products for sale and/or for hire								SP	SU						
Office: business or utility							SU	SP	SP		SP	SP	SP		SP
Parking garage								SU	SU		SU	SU	SU		
Personal service shop: barbershop, beauty parlor, dry cleaning or laundry service of less than 4,000 square feet, professional studio, travel agency or similar shop							SU	SP	SP	SU		SP	SP		
Professional office, medical arts building								SP	SP			SP	SP		SP
Radio or TV broadcasting studio								SP	SP	SP		SP	SP		SP
Regional sport training facilities										SU		SU	SU		SU
Repair garage							SU	SP	SP						
Repair shops for household and/or personal appliances							SU	SP	SP			SP	SP		
Resort, inn, bed-and-breakfast		SU					SU		SU	SU		SU	SU		
Restaurant							SU	SP	SP	SU		SP			SP
Retail businesses with drive-throughs including pharmacies								SP	SP						SP
Retail sales of food prepared, cooked or assembled on site, including ice cream shop, retail bakery, candy shop							SP	SP	SP	SP					SP
Retail store or shop, permitted or accessory not otherwise specifically identified herein								SP	SP			SU			SP
Shop for custom work and for making articles to be sold at retail on premises							SU	SP	SP	SU		SP	SP		SP
Shopping center								SP	SU						
Tavern							SU	SP	SP	SU		SU			SU
Theatre or motion-picture theatre other than an outdoor drive-in theatre								SP	SP	SU					SU
Vacation cottages, glamp		SU								SU					
Vocational school								SP	SP		SP	SP	SP		
Wineries, breweries, distilleries, cideries								SP	SU	SU		SU	SU		SU
F. Industrial Uses															
Automobile recycling facility											SU				
Battery energy storage system - Tier 2	SU	SU	SU	SU	SU	SU		SU	SU	SU	SU	SU	SU	SU	
Business incubator flex space (industrial)											SU	SU	SU		SU
C and D processing facility subject to § 235-7.4											SU				
Composting facility subject to § 235-7.4											SU				
Contractor business office							SU	SU	SU		SP	SU	SU		
Contractor storage and/or equipment yard							SU	SU	SU		SP	SU	SU		

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Data center/server center											SP	SP	SP		SP
Dry cleaning plant of more than 4,000 square feet											SU		SU		
Flex space/multi-use or multi-tenant building								SU			SU	SU	SU		SU
Fuel storage											SU	SU			
General industry											SU				SU
High-Tech industry												SU	SU		SU
Laboratory															SU
Laundry plant of more than 4,000 square feet											SU		SU		
Limited nonnuisance industry											SP	SP	SP		SP
Liquefied petroleum gas (LPG) storage											SU				
Local/regional food linkages											SP	SU	SU		
Machinery repair or service plant, nonnuisance											SP	SP	SP		
Manufacturing and Production															SU
Manufacturing and Production, Light															SU
Manufacturing Establishment															SU
Monument works											SP	SP	SP		SP
Municipal sanitary landfill or incinerator											SU	SU	SU		
Nonnuisance industry											SU	SU	SU		SU
Printing and publishing plants											SP	SP	SP		SP
Public utility building, plant, structure or storage yard							SU				SU	SU	SU		SU
Railroad yard											SP	SU	SU		
Recyclable handling and recovery facility subject to § 235-7.4											SU				
Research institute or laboratory								SU	SU		SP	SP	SP		SP
Retail industry											SU	SU	SU		SU
Self-storage facilities							SU				SU		SU		
Storage yard: building material, feed or similar nonhazardous materials							SU	SU			SP	SP	SP		
Transfer station subject to § 235-7.4											SU				
Truck terminals											SU				
USDA slaughterhouse, 5-A state plants and meat processing facilities											SU				
Warehouses, nonintensive											SP	SU	SU		SU ⁽²⁾
Warehouses, intensive											SU				
Waste tire storage processing subject to § 235-7.4											SU				
Water production supply and removal														SU	
Wearing apparel or accessories manufacture											SP	SU	SU		SU
Wholesale business											SP	SU	SU		
Wood-chipping facility subject to § 235-7.4											SU				
G. Accessory Uses in Nonresidential Districts															
Bus passenger shelter							P	P	P	P	P	P	P	P	
Caretaker's or owner's dwelling unit								SP	SU	SP	SP	SP	SP	SP	
Customary accessory use, building or structure except retail prohibited uses, but including agricultural workers housing as provided for under the New York State Agriculture and Markets Law							SP	SP	SP	SP	SP	SP	SP	SP	SP
Day-care facility							SP	SP	SP	SP	SU	SP	SP		SP
Dwelling units over or in rear of first floor nonresidential uses								SU							
Fuel storage								SU	SP	SP	SP	SP	SP		
Home occupation										P		P			

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Home professional office										P		P			
Liquefied petroleum gas (LPG) or other fuel storage for on-site use								SU			SU	SU	SU		SU
Personal service shop: barbershop, beauty parlor, dry cleaning or laundry service, professional studio, travel agency or similar shop within an approved or existing structure and accessory to a principal use								P	SP	SP	P	P	P		
Private garage or private off-street parking area pursuant to § 235-12							SP	SP	SP	SP	SP	SP	SP	SP	SP
Private swimming pool							P			P					
Repair shops for household and/or personal appliances attached to a primary use								SP	SP		SP	SP	SP		
Restaurant, cafeteria attached to a primary use								SP	SP	SP	SP	SP	SP		SP
Retail store or shop within an approved or existing structure and accessory to a principal use								P	SP	SP	P	P	P		SP
Signs pursuant to § 235-13							SP	SP	SP	SP	SP	SP	SP	SP	SP

NOTES:

- (1) Subject to the dimensional requirements of the RA-0.5 Zoning District.
- (2) One out of four buildings in the Business Park may be designed for use as a non-intensive warehouse.