

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
<b>A. Residential Uses</b>														
Single-family detached dwelling		P	P	P						P <sup>(1)</sup>		SU		
Two-family detached dwelling; one-family semidetached dwelling			P	P						P <sup>(1)</sup>				
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													
<b>B. Residential Community Facilities</b>														
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	
<b>C. General Community Facilities</b>														
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	
Membership club - nonprofit and philanthropic, fraternal, social or education institution office or meeting room, nonprofit		SU	SU	SU				SU	SU	SU		SU		
Philanthropic, fraternal or social organization office or meeting room		SU	SU	SU				SU	SU	SU		SU		
Public passenger, transportation station or terminal								SU			SU	SU	SU	

MONTGOMERY CODE

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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	
Sewage or wastewater treatment plant	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	
<b>D. Accessory Uses to Agricultural, Community Facility, and Residential Uses</b>														
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				
<b>E. Business Uses</b>														
Agricultural supportive business	P	P					P	P	P	P	P	P	P	
Agriculture, horticulture, truck, dairy and poultry farming, and raising of livestock	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		
Animal hospital, animal boarding							SU	SP	SU	SP	SP	SP		
Antique, crafts and specialty food shops							SP			SP				
Arena								SU	SU			SU	SU	
Assembly hall										SU		SU		
Automobile laundries								SP	SU					
Bank								SP	SP	SU				
Bowling alley								SP	SU	SU		SU		
Building supply, agricultural supply		SU					SP	SP	SP			SU	SU	
Business incubator flex space (commercial)								SU	SU	SU		SU		
Catering hall							SU	SU	SU	SU		SU	SU	
Commercial public recreation uses not otherwise permitted								SP	SU	SU		SU	SU	
Conference center								SU	SU	SU		SU	SU	
Eating establishments: drive-in, open-front, or curbside service								SP	SU					
Full-service truckstops which must include a restaurant, restrooms, fuel service and motel accommodations with a minimum of 20								SU			SU			

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bedrooms. The use may include auto/truck repair facilities and/or convenience store and/or truck wash.														
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	
Hotel, motel								SU	SU	SU		SU	SU	
Landscape supply, nurseries, garden centers,		SU					SP		SP	SP		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, professional, or utility							SU	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	
Radio or TV broadcasting studio								SP	SP	SP		SP	SP	
Regional sport training facilities										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		
Retail businesses with drive-throughs including pharmacies								SP	SP					
Retail sales of food prepared, cooked or assembled on site, including ice cream shop, retail bakery, candy shop							SP	SP	SP	SP				
Retail store or shop, permitted or accessory not otherwise specifically identified herein								SP	SP			SU		
Shop for custom work and for making articles to be sold at retail on premises							SU	SP	SP	SU		SP	SP	
Shopping center								SP	SU					
Tavern							SU	SP	SP	SU		SU		
Theatre or motion-picture theatre other than an outdoor drive-in theatre								SP	SP	SU				
Vacation cottages, glamp		SU								SU				
Vocational school								SP	SP		SP	SP	SP	
Wineries, breweries, distilleries, cideries								SP	SU	SU		SU	SU	
<b>F. Industrial Uses</b>														
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	
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	
Data center/server center											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	

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Fuel storage											SU	SU		
General industry											SU	SU	SU	
Laundry plant of more than 4,000 square feet											SU		SU	
Limited nonnuisance industry											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	
Monument works											SP	SP	SP	
Municipal sanitary landfill or incinerator											SU	SU	SU	
Nonnuisance industry											SU	SU	SU	
Printing and publishing plants											SP	SP	SP	
Public utility building, plant, structure or storage yard							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	
Retail industry											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	
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	
Wholesale business											SP	SU	SU	
Wood-chipping facility subject to § 235-7.4											SU			
<b>G. Accessory Uses in Nonresidential Districts</b>														
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
Day-care facility							SP	SP	SP	SP	SU	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		
Home professional office										P		P		
Liquefied petroleum gas (LPG) or other fuel storage for on-site use								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
Private swimming pool							P			P				

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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	
Retail store or shop within an approved or existing structure and accessory to a principal use								P	SP	SP	P	P	P	
Signs pursuant to § 235-13							SP	SP	SP	SP	SP	SP	SP	SP

**NOTES:**

(1) Subject to the dimensional requirements of the RA-0.5 Zoning District.