

## ZONING

*235 Attachment 7*

### **Town of Montgomery Land Use Intensity Classification**

**[Added 11-3-2022 by L.L. No. 13-2022; amended 2-28-2023 by L.L. No. 2-2023; 2-25-2025 by L.L. No. 2-2025]**

**Table 235-11.9-A. Land Use Intensity Classification**

<b>Intensity Classification</b>	<b>Use</b>
I	Agriculture involving livestock, dairy, or horses
II	Church or similar place of worship, parish house, seminary, convent, dormitory
II	College, university
II	Mobile home court (age-restricted or non-age-restricted)
II	Multiple dwelling
II	Nursery school
II	Park, playground or recreational area operated by the municipality
II	Public library, museum, community center
II	Sanitarium, nursing home, rest home
II	School, elementary or high, public, denominational or private, having the same curriculum as ordinarily given in public schools
II	Senior assisted care facility
II	Single-family and two-family dwelling
II	Vocational school
III	Agriculture not involving livestock, dairy, or horses and including “agritourism”
III	Cemetery
III	Public utility structure or right-of-way necessary to serve areas within the Montgomery community, excluding business office, repair or storage of equipment, excluding wastewater treatment plants, water storage tanks and related accessory improvements
III	Small utility structures located partially or wholly above ground necessary to serve areas within the Montgomery community (see § 90-110)
IV	Agricultural supportive business
IV	Bank
IV	Campground
IV	Data farm, telecommunications facilities

MONTGOMERY CODE

Intensity Classification	Use
IV	Funeral home
IV	Inn, bed-and-breakfast, vacation cottages, glamp
IV	Membership club: nonprofit and philanthropic, fraternal, social or education institution office or meeting room, nonprofit
IV	Municipal office or other governmental building of similar character
IV	Office: business, professional, or utility
IV	Radio or TV broadcasting studio
IV	Regional sports training center
IV	Research institute or laboratory
V	Antique, crafts and specialty food shops
V	Commercial public recreation uses not otherwise permitted
V	General store, convenience store, delicatessen
V	Health clubs and fitness centers
V	Parking garage
V	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
V	Repair shops for household and/or personal appliances
V	Resort, hotel or motel
V	Restaurant
V	Retail sales of food prepared, cooked or assembled on site, including ice cream shop, retail bakery, candy shop
V	Retail store or shop, permitted or accessory not otherwise specifically identified herein
V	Self-storage facilities
V	Shop for custom work and for making articles to be sold at retail on premises
V	Tavern
VI	Assembly hall, catering hall, conference center
VI	Animal hospital, animal boarding
VI	Automobile laundries
VI	Bowling alley
VI	Business incubator flex space (commercial)
VI	Eating establishments: drive-in, open-front, or curbside service
VI	Fire or ambulance station
VI	Gasoline station with or without a convenience store
VI	Hospital
VI	Landscape supply, nurseries, garden centers

## ZONING

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VI	Municipal public works building
VI	Other public utility building, plant, structure or storage yard not otherwise described
VI	Repair garage
VI	Retail businesses with drive-throughs including pharmacies
VI	Shopping center
VI	Storage yard: building material, feed or similar nonhazardous materials
VI	Theatre or motion picture theatre other than an outdoor drive-in theatre
VII	Air services, fixed-base operators, flight schools, aviation colleges, aviation repair and maintenance, hangars, aviation refueling facilities
VII	Airport
VII	Building supply, agricultural supply
VII	Contractor storage and/or equipment yard
VII	Contractors office and interior storage
VII	Heliport
VII	Motor vehicles, mobile home or boat salesroom or outdoor sales lot for products for sale and/or for hire
VII	Public passenger, transportation station or terminal
VII	Wholesale business
VIII	Business incubator flex space (industrial)
VIII	Flex space/multi-use or multi-tenant building
VIII	General industry
VIII	Limited nonnuisance industry
VIII	Local/regional food linkages
VIII	Machinery repair or service plant, nonnuisance
VIII	Monument works
VIII	Nonintensive warehouses
VIII	Nonnuisance industry
VIII	Printing and publishing plants
VIII	Retail industry
VIII	Water production supply and removal
VIII	Wearing apparel or accessories manufacture
IX	Dry cleaning plant of more than 4,000 square feet
IX	Fuel storage
IX	Intensive warehouses

MONTGOMERY CODE

Intensity Classification	Use
IX	Laundry plant of more than 4,000 square feet
IX	Liquefied petroleum gas (LPG) gasoline station
IX	Liquefied petroleum gas (LPG) storage
IX	Truck terminals
X	Abattoir
X	Arena
X	Automobile recycling facility
X	C and D processing facility <sup>(1)</sup>
X	Casino
X	Composting facility <sup>(1)</sup>
X	Full-service truck stops 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.
X	Municipal sanitary landfill or incinerator
X	Railroad yard
X	Recyclable handling and recovery facility <sup>(1)</sup>
X	Transfer station <sup>(1)</sup>
X	Waste tire storage processing <sup>(1)</sup>
X	Wood-chipping facility <sup>(1)</sup>

**NOTE:**

Uses not listed shall be determined by the Planning Board upon consideration of the land use intensity classifications applicable to listed uses that are similar in respects to visual character and generation of noise, odor and vibration and/or sensitivity to noise, odor or vibration.

Adjustments to Intensity Classification

Hours of operation - 7:00 a.m. to 9:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m., Saturday through Sunday:	-1
Dwelling units over or in rear of first floor nonresidential uses:	+1
Drive-through not otherwise mentioned:	+1
Handling of waste products:	+1
On-site machinery other than motor vehicles emitting sound over 70 dBA:	+1
Presence of animals in excess of one animal unit per acre:	+1