

Town of Montgomery

April 14, 2010

SECTION 60-10 RESIDENCE AND AGRICULTURE DISTRICTS - TABLE OF USE REGULATIONS

Use Classifications	RA-CE	RA-5	RA-1	RA-2	RA-3	RM-1	R-MHC
	Res.Cons.	One	1 & 2	1 & 2	1 & 2	Multi-	Mobile
Easement	Family	Family	Family	Family	Family	Family	Home Court

A. Residential Uses							
1. Single family detached dwelling	-	P	P	P	P	P	P
2. Two family detached dwelling One family semi-detached dwelling	-	-	P	P	P	P	-
3. Multiple dwelling	-	-	-	-	-	SE	-
4. Conversion of existing residential structure into multi-family dwelling	-	SE	SE	SE	SE	SE	-
5. Licensed mobile home court	-	-	-	-	-	-	SE
6. Planned Adult Community (PAC) (see 130-40-30.31)	-	-	-	SE	SE	-	-
7. Campground	-	SE	SE	SE	-	-	-
8. Integrated Residential, Agricultural and Light Industrial Community	SE	-	-	-	-	-	-

B. Residential Community Facilities

1. Church or similar place of worship, parish house, seminary, convent, dormitory	SE	SE	SE	SE	SE	SE	SE	SE
2. Daycamp	-	SE	SE	SE	SE	-	-	-
3. Golf course, country club on site of not less than 50 acres	-	SE	SE	SE	SE	SE	-	-
4. Nursery school	SE	SE	SE	SE	SE	SE	SE	SE
5. Parks, playgrounds or recreational area operated by the municipality	SE	P	P	P	P	P	P	P
6. Public library, museum, community center, fire station, governmental office building	SE	P	SE	SE	SE	SE	SE	SE
7. School, elementary or high, public, denominational or private having the same curriculum given in public schools.	SE	-	SE	SE	SE	SE	SE	SE

RA = Residential Agriculture
 P = Permitted Use
 SE = Special Exception Use
 All Other Uses Prohibited.

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Use Classifications	RA-CE	RA-5	RA-1	RA-2	RA-3	RM-1	R-MHC
	Res.Cons.	One	1 & 2	1 & 2	1 & 2	Multi-	Mobile Home Court
Easement	Family	Family	Family	Family	Family	Family	Home Court

B. Residential...Facilities (continued)

8. Senior Assisted Care Facility	-	SE *	SE	SE	SE	SE	-	-
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C. General Community Facilities

1. Bus passenger shelters	SE	SE	SE	SE	SE	SE	SE	SE
2. Cemetery	SE	SE	SE	SE	SE	SE	SE	-
3. College, university	-	-	SE	SE	SE	SE	-	-
4. Hospital, sanitarium, nursing home, rest home	-	-	SE	SE	SE	SE	-	-
5. Membership club, non-profit	-	-	SE	SE	SE	SE	SE	-
6. Philanthropic, fraternal or social organization office or meeting room	-	-	SE	SE	SE	SE	SE	-
7. Public utility structure or right-of-way necessary to serve areas within the Montgomery community, excluding business office, repair or storage of equipment.	SE	SE	SE	SE	SE	SE	SE	SE
8. Small utility structures located partially or wholly above ground necessary to serve areas within the Montgomery community (see Section 90-110).	P	P	P	P	P	P	P	P
9. Sewage or Wastewater Treatment Plant designed to serve more than one user or used by more than one user, subject to approval of all other agencies as required by law.	SE	SE	SE	SE	SE	SE	SE	SE

* Allowed only upon authorization of the Town Board in accordance with Section 70-50

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Use Classifications	RA-CE	RA-5	RA-1	RA-2	RA-3	RM-1	R-MHC
	Res.Cons. Easement	One Family	1 & 2 Family	1 & 2 Family	1 & 2 Family	Multi- Family	Mobile Home Court

D. Business Uses							
1. Agriculture or horticulture, truck farming dairy and poultry farming; and raising of livestock	P	P	P	P	P	-	P
2. Funeral home	-	-	-	-	-	-	SE
3. Professional office, medical arts building	-	-	-	-	-	-	SE

E. Industrial Uses							
1. Intentionally Omitted							

F. Accessory Uses

1. Accommodations for not more than two roomers provided that separate kitchen and entrance facilities shall not be provided.	-	P	P	P	P	P	P
2. Customary accessory structure and/or use including agricultural workers housing as provided for under N.Y.S. Ags and Markets Law	P	P	P	P	P	P	P
3. Home occupation	-	P	P	P	P	P	P
4. Home professional office	-	P	P	P	P	P	P
5. Home veterinarian office or breeding kennel, including open space pens, for the treatment and/or housing of domestic pets.	-	SE	SE	SE	SE	SE	-
6. Private garage or private offstreet parking area pursuant to Section 100	P	P	P	P	P	P	P
7. Private swimming pool	-	P	P	P	P	P	P
8. Roadside markets for the sale of farm products produced on the premises	SE	SE	SE	SE	SE	SE	-
9. Signs pursuant to Section 110	P	P	P	P	P	P	P
10. Antique or craft shops in existing historic outbuildings subject to Section 60-40-1	-	SP	SP	SP	SP	SP	-
11. Accessory dwelling unit pursuant to Section 60-40-2	-	P	P	P	P	P	-

RA = Residential Agriculture
 P = Permitted Use
 SE = Special Exception Use
 SP = Permitted Use Requiring Site Plan Approval
 All Other Uses Prohibited.

Section 60-20 RESIDENCE AND AGRICULTURE DISTRICTS - TABLE OF DIMENSIONAL REGULATIONS

NP = Not permitted	RA-5		RA-1		RA-2		RA-3		RM-1		R-MHC	
	One	Family	1 & 2	Family	1 & 2	Family	1 & 2	Family	Multi-	Family	Home Court	Mobile ^(a)
1. Lot area - minimum - sq. ft. ^(b)	87,120	43,560	43,560	43,560	32,670	-	20,000					
with NEITHER central sewer nor central water with EITHER central sewer or central water with BOTH central water and central sewer for Agriculture or Farm uses ^(d)	87,120	43,560	43,560	21,780	27,224	-	18,000					
	87,120	43,560	21,780	16,335	5,000	12,000						
	3 acres	3 acres	3 acres	3 acres	3 acres	-	-					

2. Lot coverage - % of total lot area occupied by Main & Accessory Buildings

Buildings	10	15	20	25	35	25
3. Lot width - minimum at Building Line - feet ^(b)	200	150	125	100	50	90

4. Height - maximum - feet

5. Yards - minimum - feet	35	35	35	35	35	35
Front	75	60	40	35	25	35
Side - any one	40	30	20	15	10	15
Side - total for both on interior lot	80	60	40	30	15	30
Side - abutting side street on corner lot	75	60	40	35	25	35
Rear	75	40	40	35	25	35

6. Accessory Buildings

Coverage of required rear yard - max. %	None	None	20	20	35	20
Height in any required rear yard - max. ft.	25	25	18	18	20	18
Setback from any lot line - minimum ft.	10	10	5	5	5	5

7. Lot width on State and County Roads

	250	250	200	200	50	90
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- (a) See Section 130-40-30.26
- (b) No lot which serves a single family detached dwelling shall be narrower than 40 feet at any point between the front line and the point at which lot width is measured
- (c) As set forth in the RA-1, RA-2 and RA-3 districts, all two-family dwellings require 175% of the minimum lot size for a given zone. Two-family dwellings are prohibited on Soil Classes VIII through XV (Montgomery Subdivision Regulations)
- (d) See 90-10-10.70(d)