

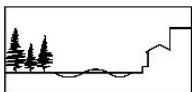
# Town of Montgomery, NY



September 7, 2007

**UPDATED**

## Land Use Plan & Zoning Report: 17K and 208 Intersection and Environs



**Behan Planning Associates, LLC**

Planning Community Futures

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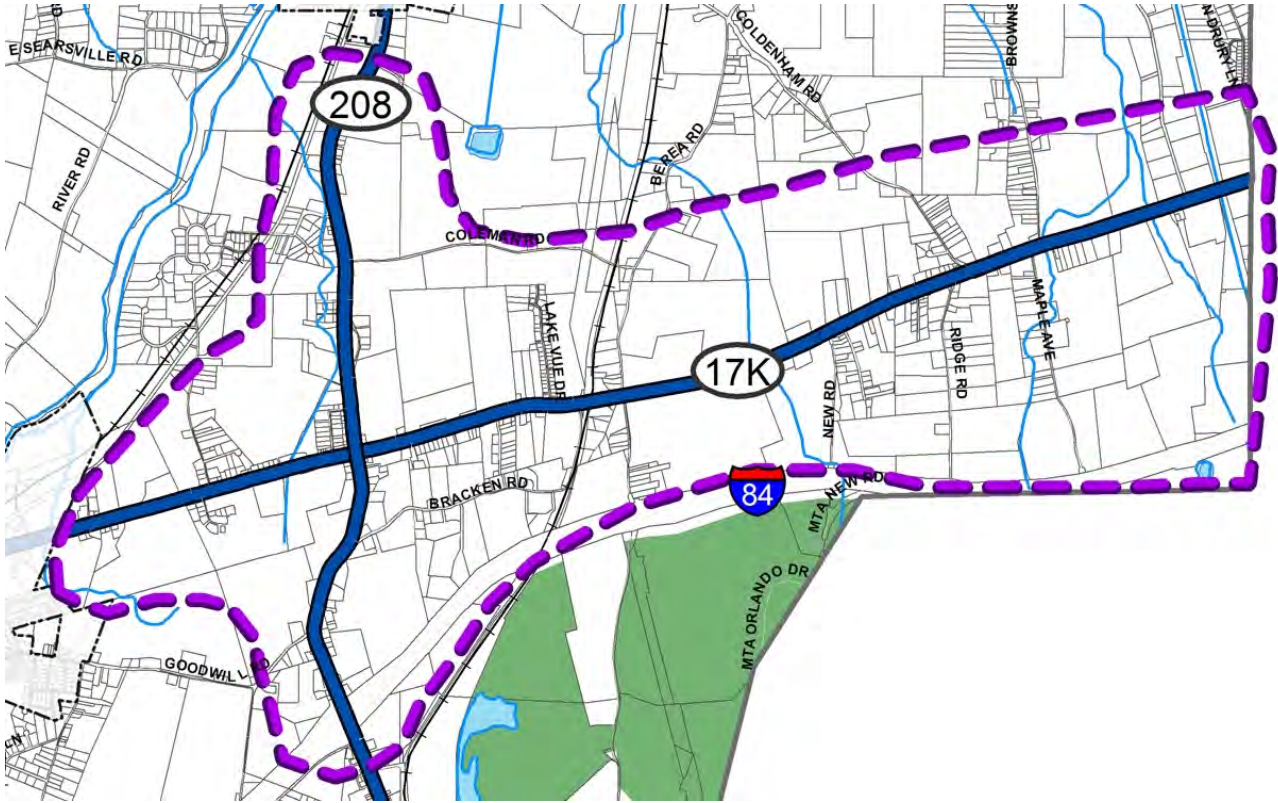
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## I. INTRODUCTION

### A. STUDY AREA AND PROJECT SCOPE



*Approximate study area boundary (purple) along the 17K and 208 corridors*

This report includes an assessment and review of the emerging land use patterns and the town’s zoning primarily along the two major commercial travel corridors – routes 17K and 208, and some of the related surrounding areas. The primary goal of this study was to identify how the current zoning in these areas could be improved to promote desired land use patterns and design character and to shape the expected growth in specific areas while preserving the natural or rural character of other areas. Specifically, the report considers:

- Creating new land-use or zoning districts which would help ensure future development was located and designed in keeping with the long-term goals of the Town;
- Removing or consolidating existing districts which were no longer needed or which were redundant;
- Protecting existing residential and agricultural areas;
- Identifying any deficiencies in the current zoning ordinance which should be changed;
- Strengthening and expanding the scope of the existing design guidelines used in the Gateway Overlay District.

## **II. BACKGROUND ANALYSIS**

### **A: 2004 COMPREHENSIVE PLAN**

The Town of Montgomery’s 2004 Comprehensive Plan provides much of the background and goals for many of the land use decisions within the study area. The Comprehensive Plan outlines a series of long-term recommendations for the Town which include:

- Continuation of the existing Gateway Overlay district;
- Creation or expansion of new Gateway Overlay Districts in other areas;
- Creation of new areas for neighborhood-scale business development;
- Rezoning of industrial land near the Orange County Airport to “Hi-Tech/Office Park”;
- Limitations on “big box” retail centers.

The findings and recommendations of the Comprehensive Plan have been included in *Section III – Specific Areas & Issues*.

### **B: 2006 ASSESMENT REPORT**

In 2006, Behan Planning Associates, LLC (Behan Planning) completed an analysis and report entitled “*Zoning Assessment and Alternatives for Primary Commercial and Travel Corridors*.” This zoning assesment report included a review of the town’s major commercial/travel corridors (Routes 17K, 208, 52 and 211). The purpose of this report was to conduct a review of the town’s existing planning and zoning regulations, and present alternatives for the enhancement of development through updates to the town’s zoning ordinance and design review standards.

The findings and recommendations of the Zoning Assesment Report have been included in *Section III – Specific Areas & Issues*.

### **C: COMMUNITY WORKSHOP**

In November 2006 Behan Planning and the Town of Montgomery conducted a community workshop to discuss specific land use planning issues with the public. Many of the topics discussed were those which were identified in the Comprehensive Plan and the Zoning Assesment Report as being important topics or recommendations. These ideas were discussed in greater detail to get community feedback. Participants at the public workshop also completed an image preference survey. Participants were shown a series of slides depicting various styles of commercial development, and they were asked to score the slides based on how appropriate they felt the concepts depicted in the slides would be in the study area.

The findings and recommendations of the Community Workshops have been included in *Section III – Specific Areas & Issues*.

## D: LAND USE & CHARACTER AREA DISCUSSION

At the community workshop last fall, an in depth discussion was held with participants to consider existing and future uses to the local area, and how these areas could be improved. Participants were asked to identify “Areas of Change” and “Areas of Stability” along the Route 17K/208 corridor. Areas of change are portions of the town which residents are not happy with and would like to see improved. Areas of stability are portions of the town which residents are generally happy with and would like to see protected or continued.



## E: IMAGE SURVEY RESULTS - SUMMARY

As part of the community workshop, participants from the Town of Montgomery were shown a variety of commercial structures and asked to rate the buildings on a scale of -3 to +3 based on their appropriateness for the study area. In total, 35 survey forms were submitted at the end of the workshop and Behan Planning considered this input along with professional judgment in developing the suggested design guidelines for this part of the Town of Montgomery.

Survey participants expressed dissatisfaction with the typical design of strip-mall development that is reminiscent of suburban America. In particular, large, big-box development designs typical of retail chain stores and office buildings with mirrored windows and large parking lots were not rated as appropriate. While participants were not against corporate chain-type stores being sited within the study area, they were intent on ensuring that any future development conforms to their desired aesthetic and sense of scale. From an overall planning perspective, it is important that new



development contribute to the desired community character and play a beneficial role in terms of economic development—both direct and as a benefit to the town as a whole.

Images with landscaped lots tended to score higher than images that had vast parking lots and few trees. The most preferable facade design elements included quality exterior materials (i.e. brick, stone, wood), a diversity of roof-lines and pitches, structures under 3 stories tall (appropriate scale and massing), and signage that was on a smaller scale and colors and designs that were not garish. Survey participants also preferred signs with more subtle color schemes to those with bright colors like red or yellow.

Participants were quick to note when parking was too obvious or abundant on a site. Many would prefer the scale of parking areas to be either minimal (less than 20 spaces) or situated behind, or to the side of a structure. Landscaped parking areas, again, proved to be preferable to lots with little or no landscaping treatments.

In consideration of the results of the visual preference survey along with professional judgment of the authors, this report includes several recommendations to address the concerns and desires of the residents of Montgomery. Notably, we recommend the town consider a cap on the size of “big box” retail stores in certain districts and/or consider incentive zoning so that such uses, if provisionally permitted, contribute financially or otherwise toward the proper development and revitalization of the town’s highway corridors. The report suggests additional landscaping and architectural design standards, stricter sign standards and provisions to reduce the visual prominence of parking lots of new development projects, among other site and architectural design recommendations.

The complete results of the Image Survey are included at the end of this report.



*Above: Desirable aesthetic for a chain restaurant as identified in the image preference survey.*



*Above: Desirable architecture and materials as identified in the image preference survey.*



*Above: Undesirable strip mall development as per image preference survey results.*

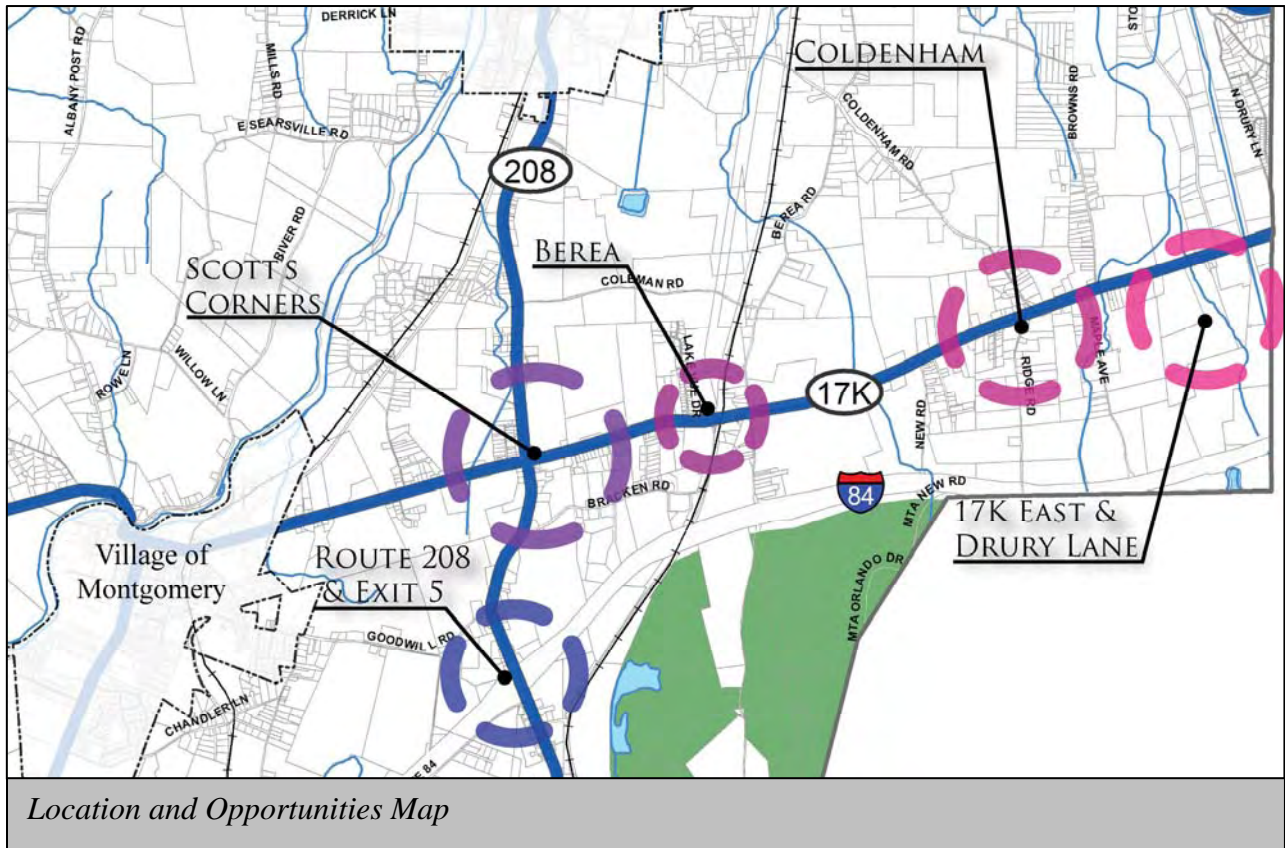


*Above: A modern office building identified as undesirable by the image preference survey.*

## **F: LANDOWNER MEETINGS**

During the course of this study, Behan Planning met with a number of individual landowners within the study area to discuss their specific plans or concerns regarding their property and any future zoning changes. Consideration was given to landowner concerns in the development of this report.

### III. SPECIFIC AREAS & ISSUES



#### A. OVERALL STUDY AREA – GENERAL CONSIDERATIONS

There are several common issues present throughout the study area. They include: increased development pressure from the new interchange from I-84 and Stewart Airport expansion; increased motor vehicle and truck traffic; relatively high percentage of transportation-related industries such as trucking and gas stations, and the siting and use of billboards. One particular interest to the Town of Montgomery is the aesthetic influence of continued development along the primary road corridors which largely define the overall character of the area. It is the intent of this report to provide substantive zoning and design guideline recommendations so that these highway corridors evolve into attractive, safe, economically viable places that reflect an appropriate respect for the land and history, economic entrepreneurialism, and sensitivity to the character of Montgomery.

During the public workshop, many ideas were discussed about the corridor in general including investigating the expansion of the Gateway Overlay District along more of the corridor, restriction or in some cases elimination of any new gas stations or big-box development; reduction of truck traffic, and enhancing the potential to site more professional office type of development.

- The town should continue to strengthen its working relationship with the Villages of Walden, Montgomery and Maybrook to coordinate land uses at municipal boundaries. In



general, new development in these exterior, boundary areas should be an enhancement and perhaps an extension of the scale and type of land uses found to the interior.

- Landscaping standards: these standards would ensure that a baseline of landscaping would be provided for each non-residential and any multi-family or senior housing projects in the area.
- Setbacks would be a factor in setting the amount of landscaping at a site (i.e. in addition to buffering of pavement areas, etc, the further setback a structure is from the road, the greater the need for a landscaped buffer between the structure, parking lot and road).
- Focus growth in localized centers and minimize the potential for continuous highway commercial strip type of development along the roadways.
- Promote the “Green Highway” concept through enhanced landscaping standards, access management, reduced curb cuts and design requirements.
- Conduct access management study to identify ways to alleviate traffic congestion.
- Consider a corridor-wide Generic Environmental Impact Statement (GEIS) to reduce any adverse impacts of the future build out of the corridor.

## **B. CHARACTER AREAS**

### **DRURY LANE**

This is expected to be a growth area with the addition of the new I-84 exit, especially with convenience retail businesses looking to serve the highway traffic in addition to the planned industrial park in the area. Much of the highway commercial uses could likely be corporate chain-type development with standard design motifs. It will be important to require site and architectural designs that would be custom-tailored to the setting of the Town of Montgomery to prevent the area from becoming “strip-ified” by national chain store designs.

This area was identified as an “Area of Change” in the public workshop, with several items being suggested for improvement: Much of the existing development allowed under zoning here is considered unappealing, and it was suggested more appealing or appropriate development should be encouraged instead, such as smaller retail or office uses; There are many allowable uses which can be developed on the smaller lots along the corridor, and perhaps smaller businesses would be more appropriate instead; daytime uses would be preferred, with businesses that are closed at night and not attracting extra vehicles off of the highway; and some of the industrial zoned land does not have direct access for truck traffic without disturbing existing residential neighborhoods. While some of these concerns are addressed by the Gateway Overlay District and access from the new interchange, the following are some additional suggestions.

- Replacement of the industrially zoned land along the roadway with commercial/business zoning would be more appropriate to serving the local population. The existing industrial land could be buffered and set back from the road behind these commercial areas so they are not as visible.
- Enhance the existing design guidelines with additional site planning, architecture and landscaping standards.
- Require a much higher degree of landscaping in the front yards to soften the development. The intensity of landscaping should be determined by the site plan and setbacks for the site.

- Protect the Historic Landmark Colden Mansion ruins to preserve the character of the area and investigate the idea of park space. The Town is currently seeking a grant to help preserve this property.
- The new highway interchange here presents an opportunity to locate “higher-impact” industrial development immediately adjacent and accessible to the highway here and reduce truck traffic on the local roads.
- Industrial park areas should include strengthened standards for buffering and open space conservation to protect community character as this area is developed with large development areas.
- Visual or distance buffers should be applied to any development along Interstate 84 so that the view of Montgomery along the corridor does not become a continuous strip of loading docks and the backs of shopping plazas.
- This is an area where a Generic Environmental Impact Statement (GEIS) could be very helpful to the town in documenting impacts and creating corridor-wide solutions for reducing the impact of the impending growth .

### **COLDENHAM**

Coldenham was identified as a relative “Area of Stability” during the public workshop. This area could be developed as a mixed-use country hamlet area to enhance community character. It would be appropriate to slow traffic speeds here and continue to make the area more pedestrian-friendly. To prevent a sprawl development look, it could have a decidedly different character than the commercial crossroads at the new Drury Lane exit, which will likely attract more motor vehicle & travel oriented development commonly found along highway exits. Recommendations include:

- Restrict parking lots so that parking is behind and to the side of structures, while bringing building setbacks up closer to the road, pedestrian walkways to connect parking areas and the street.
- Extend the existing design review of the Gateway Overlay District to this area.
- Enhanced connectivity for pedestrians through internal street design and streetscape improvements.
- Investigate lower speed limit in this area.
- Include this area if a generic EIS is developed for the eastern section of Route 17K.

### **BEREA**

Berea was identified as an “Area of Stability” during the public workshop, extending to include the natural lands of the County Park and Brickhouse/Farmer’s Museum as places worth protecting the rural character. The industrially zoned land directly across on the south side of 17k was identified as a potential threat to the natural setting here.

- Could set aside natural/rural area here on both sides of 17k to provide a break in development along the corridor.
- Focus attention on preserving the natural landscape while still allowing certain recreational/agricultural uses.
- Decreased density and greatly increased setbacks for proposed development in the area.

- Increase the level of landscaping needed for the site to reflect the rural character of the area. Focus on maintaining natural foliage growth in lieu of clearing and providing new landscaping.
- Surrounding area serves as a transition to countryside and rural characteristics.
- Extend the existing design review of the Gateway Overlay District to this area.

### **SCOTT’S CORNERS**

Scott’s Corners, as well as Route 17K west to the Montgomery Village line, is an area of concern regarding traffic, especially in the mornings when the local school traffic adds to the congestion. This highly visible crossroads of town was identified in the Comprehensive Plan as an area in need of improvements, and an “Area of Change” in the local workshop. It is likely to experience additional growth pressure. Overall, aesthetic improvements are highly desired here. The new bank was identified as an example of the style and character of desired future development, even though the scale of the building was often described as too large. There are roadway improvements currently taking place at Scott’s Corners which are expected to alleviate some existing traffic issues and work to minimize congestion in the area. Other recommendations include:

- Creation of a more focused commercial center at the intersection of 17K and 208.
- Increase density and greatly reduce setbacks to create a unique identity or “sense of place” at the intersection – helping to identify it as central focal point.
- Promote mixed-use development, planned development designs with coordinated access management and shared curb-cuts.
- Extend the existing design review of the Gateway Overlay District to this area.
- Promote enhance pedestrian activity through aforementioned design guidelines and streetscape enhancements, street trees, sidewalks and collaborate with the NYS Department of Transportation to see how to best reduce traffic speeds to increase public safety.
- Updates to the zoning for this area should consider ways to encourage development that will complement but not compete with the Maybrook and Montgomery village centers.
- Corridor/access management planning is needed to address existing traffic congestion and related issues (school/commuting/thru-traffic) and to improve overall safety of the corridor.

### **EXIT 5/Route 208 AREA**

The I-84 Exit 5 area of Route 208 has seen a significant amount of development in recent years and is likely to be an increasing concern for traffic congestion. It is also identified in the Comprehensive Plan as a potential location for a new Gateway Overlay District. The amount of undeveloped acreage in this area provides good potential for commercial expansion and will likely be an area of increased development pressure, especially with convenience retail businesses looking to serve the highway traffic. Similar to the Drury Lane area, much of the development near the exit is expected to be motor-vehicle oriented services catering to travellers from the highway. Currently, there are preliminary proposals north of the exit for a new national chain pharmacy and home improvement center. Additional recommendations include:

- Extend the existing design review of the Gateway Overlay District to this area.
- Require a much higher degree of landscaping in the front yards to soften the development. The intensity of landscaping should be determined by the site plan and setbacks for site.



- Access management for new development (limit curb cuts) and enhanced connectivity for new and any proposed renovations/redevelopment of existing sites.
- Visual or distance buffers should be applied to any development along Interstate 84 so that the view of Montgomery along the I-84 corridor is protected.
- Development and allowed uses should be similar to those near Drury Lane exit.
- Larger development could be restricted to the south side of I-84 in the Interchange Development “ID” district, although caps to the size of development there could be instituted.
- Updates to the zoning could consider ways to minimize direct competition with the Maybrook and Montgomery village centers.
- Promote “sense of place” through improved, coordinated design and long-term planning.
- Would benefit from an access management/corridor management plan to guide and focus growth and change.
- Consider Generic Environmental Impact Statement to coordinate and mitigate long-term development.

## **C. ISSUES REGARDING SPECIFIC ZONING DISTRICTS**

### **B-1: NEIGHBORHOOD BUSINESS**

The Comprehensive Plan recommended the elimination of the B-1 zoning district. Considering its small size and similarity to the B-4 district, this change would help to simplify the district map. Remote areas of the existing B-1 could be absorbed by a similar zone.

### **B-4: HIGHWAY COMMERCIAL**

The Comprehensive Plan suggests that opportunities for the expansion of highway / commercial zoning to appropriate areas along 17K, with apartments above, should be studied (Page 9-33). The existing B-4 district, especially adjacent to I-84, is likely to witness the greatest amount of growth pressures from new motor-vehicle oriented businesses which hope to serve travellers from the interstate. This type of development typically produces a sprawl effect if left unconstrained. Instead of expanding this “highway commercial district”, we recommend that it be contained in relatively compact areas away from the center of town to limit the sprawl effect, and relocate the eastern portion of it closer to the new Drury Lane interchange where it could be best utilized, as suggested in the character area map.

The Comprehensive Plan suggested some B-4 areas should be studied regarding appropriate land uses and possible establishment of a neighborhood business district. (Page 9-33). We recommend that the B-4 uses be revised, and the neighborhood business district be used instead in the center of town in new hamlet areas.

### **OB: OFFICE/BUSINESS AND OP: OFFICE PARK**

Although no significant changes are suggested for the OB and OP districts, some of these areas district areas along Route 17k could be merged into the hamlet zoning suggested in the character area map. This would allow the offices and businesses to be part of a more diverse mix of shops and offices instead of stand-alone office park developments.

### **ID: INTERCHANGE DEVELOPMENT**

Slight modifications to the Special Exception uses in this district are recommended. Given the input from the community on the desired size and scale of new development within the study area, we would recommend that the ID district be reserved for larger commercial development projects which wouldn't be appropriate for the hamlet or low density commercial areas north of I-84, and the uses should be revised accordingly.

**I-1: INDUSTRIAL PARK AND I-2: INDUSTRIAL PARK – MAJOR ACCESS**

The Comprehensive Plan recommends that I-1 uses be adjusted to provide for corporate campus/high-tech development instead of the varied industrial uses currently permitted, particularly for areas near the Orange County Airport. Currently, there is very little difference between the I-1 and I-2 districts. We would recommend I-1 become more of a technology industry zone, while I-2 could become more of a light industrial zone with special recognition of the opportunities to create a state-of-the art industrial park as planned near the new interchange.

**I-3: GENERAL INDUSTRY AND I-4: GENERAL INDUSTRY – A**

There is currently very little difference between the I-3 and I-4 districts, and the Comprehensive Plan recommends a clearer distinction between light industry vs. heavy industry (page 9-36) uses there. We recommend that with I-2 becoming a light industry district, then I-3 and I-4 could be consolidated into a single heavy industry district. This would require locational restrictions on certain specific uses (such as wood chipping) which previously had their own district.

The Plan also recommends specific design regulations for industrial and/or large scale business parks should be developed to encourage landscaping, internal access roadways, and enhanced architectural design. (Page 9-34). In addition to this, we recommend specific buffer requirements that would be inserted between any industrial and residential development, and buffer requirements along the I-84 corridor.



## IV. CONCLUSIONS & RECOMMENDATIONS

### A: PROPOSED ZONING CHANGES

**Table of Contents** Update Table of Contents to reflect all changes listed below, as needed.

**Section 30-20** Update Definitions to reflect all new words and uses added to the zoning code; add any missing definitions; define all types of signs, updated list of Uses listed in 130-40-30; insert any terminology from the design guidelines.

**Section 50-10** Classes of Districts. Update this list to reflect the new organization of zoning districts and their names.

#### **Section 50-10-10 RESIDENCE AND AGRICULTURE DISTRICTS**

**RA-2 District** (residential agricultural – one and two family residences)

- Map Boundary Changes
- Update Minor Code Changes
- Investigate increased density in targeted areas

#### **OS-R Open Space and Recreation**

- **NEW DISTRICT ADDED**
- This district creates a natural break along the corridor to prevent uninterrupted development blending from one side of town to the other, and helps define the boundaries of Coldenham and Berea.
- Promotes public outdoor recreation and agricultural activities development while helping to preserve natural landscape.
- High focus on maintaining natural landscape as a buffer along the road – limit development or clearing near road

**RA-CE District** (residential agricultural – conservation easement)

*No changes proposed.*

**RA-.5 District** (residential agricultural – one family residences)

*No changes proposed.*

**RA-2/PAC District** (planned adult community)

*No changes proposed.*

**R-MHC District** (mobile home court)

*No changes proposed.*



## Section 50-10-20 BUSINESS AND INDUSTRIAL DISTRICTS

Update this section of the zoning so that it does not include industrial – only business. Industrial could be categorized in its own section.

### **B-4 District** (highway commercial)

- **RENAME DISTRICT:** “LDC Low Density Commercial”
- Map changes – see next page.
- Code changes – low density automobile oriented development, parking allowed in front with larger setbacks, but increased focus on landscaping and screening, building size cap and consider incentive zoning to gain town amenities to provisionally allow larger scale retail.
- Incorporates Design Guidelines / Design Review along 17K/208 corridor

### **CH District** (country hamlet)

- **NEW DISTRICT ADDED**
- Map changes – replaces some of the B-4 District – see next page.
- Code changes – denser than LDC, buildings closer to street, parking in side or rear, walkable sidewalks, loose knit hamlet/village style development, building size cap.
- Incorporates Design Guidelines / Design Review along 17K/208 corridor

### **MUH District** (mixed use hamlet)

- **NEW DISTRICT ADDED**
- Map changes – see next page.
- Code changes – denser than CH, buildings closer to street, parking in side or rear, walkable sidewalks, cluster/campus style development with mixed use, multi-story and parking incentives. Strong emphasis on pedestrian scale and walkability, building size cap.
- Incorporates Design Guidelines / Design Review along 17K/208 corridor
- Possible neighborhood business district

### **O-B District** (office business)

- Map changes – largely replaced along 17K/208 corridor by new zones
- Code changes – minor code changes, building size cap.

### **B-1 District** (neighborhood business)

- **DELETE DISTRICT**
- Replace this very isolated zone with new CH district.

### **O-P District** (office park)

*No changes proposed.*

See ‘Proposed Use Schedule’ in the Appendix for a preliminary listing of changes to the Use Schedule.

**Section 50-10-25 INDUSTRIAL DISTRICTS**

Create new zoning section 50-10-25 to specifically list Industrial districts. I-1 and I-2 districts are almost identical in terms of allowed uses and area and bulk regulations, except for note (f) which prohibits non-residential access from Maple road beyond 1000 feet from 17K. Recommend these 2 zones be merged and any differences be handled by Specific regulations in the code.

Only difference between I-3 and I-4 districts is that Composting and Wood chipping facilities are allowed by Special Exception in the I-4. Area and bulk regulations are otherwise identical. Recommend these 2 zones be merged (I-4 be deleted) and any differences be handled by Specific regulations for those uses.

The Town does not seem to need 4 different Industrial Districts which effectively act as 2. We recommend that I-1 become an Industrial/Technology Park district for very light industry, research and development parks; I-2 become a Light Industry district for less intensive uses and truck traffic; I-3 become a Heavy Industry, for more intensive uses and/or truck traffic as follows:

**ID District** (interchange development - commercial and industry)

- Changes to special exception uses.
- Code changes – focus on larger commercial development.
- Add Adult Entertainment uses

**I-1 District** (industrial park)

- **RENAME DISTRICT:** “Industrial / Technology Park”
- Code changes - Change uses for more clean/tech industry activities
- Map changes – zone near airport only.
- Incorporate Design Guidelines / POD Buffer Requirements

**I-2 District** (industrial park – major access)

- **RENAME DISTRICT:** “Light Industrial”
- Map changes – see next page
- Code changes – change uses to light industrial and similar/compatible uses only
- Incorporate Design Guidelines and enhanced landscape buffers including open space requirements to ensure designated preservation areas within large industrial technology park developments are permanently protected

**I-3 District** (general industry)

- **RENAME DISTRICT:** “Heavy Industrial”
- Code changes – change uses to heavy industrial only

**I-4 District** (general industry –A)

- **DELETE DISTRICT**

(See 'Proposed Use Schedule' in the Appendix for a preliminary listing of use changes.)



**Section 50-10-40 OVERLAY DISTRICTS**

**Gateway Overlay District**

- **RENAME DISTRICT:** “Design Overlay District - DOD”
- Map changes - Expand existing overlay district along major road corridors 17K and 208 through the study area – see map next page – so that all areas along the commercial corridor are treated equally.
- Code changes – rebuild the overlay district code so that it only governs architectural and landscaping design aesthetics, and does not govern uses or other concepts that may conflict with underlying zoning codes or confuse landowners. Non-design concepts will be moved to the underlying zoning code.
- Provide specific design recommendations and requirements to help minimize subjective design review and treat each applicant equally.
- Allow the design guidelines to help inform the landowners and the Town of the goals and what is expected of them up-front.
- Create specific requirements for underlying districts where needed.

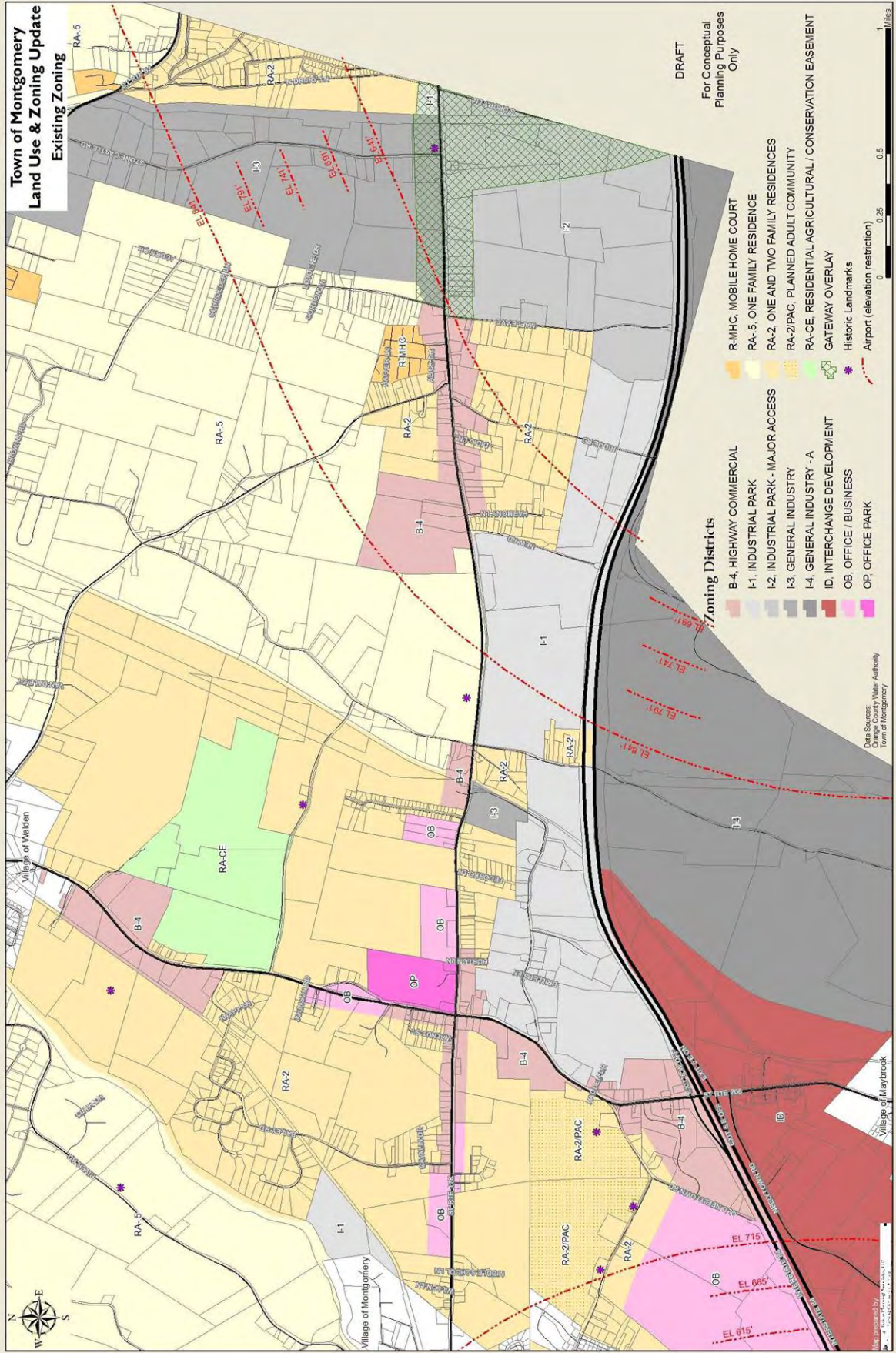
**Performance Overlay District (POD)**

- **NEW DISTRICT ADDED**
- The Performance Overlay District (POD) creates a layered buffer between any Business/Industrial development projects and any residential land anytime new development is proposed. It is intended to protect residential areas from any adverse impacts of adjacent commercial development.
- Scope: The POD covers all land in Business or Industrial districts which are within 200 feet of a residential zoning district, and all land in Residential districts which is within 50 feet of a Business or Industrial district.
- The POD creates a layered system of buffer zones which only permits certain types of development within 100 and 200 foot zones.

**Water Supply Overlay Zone**

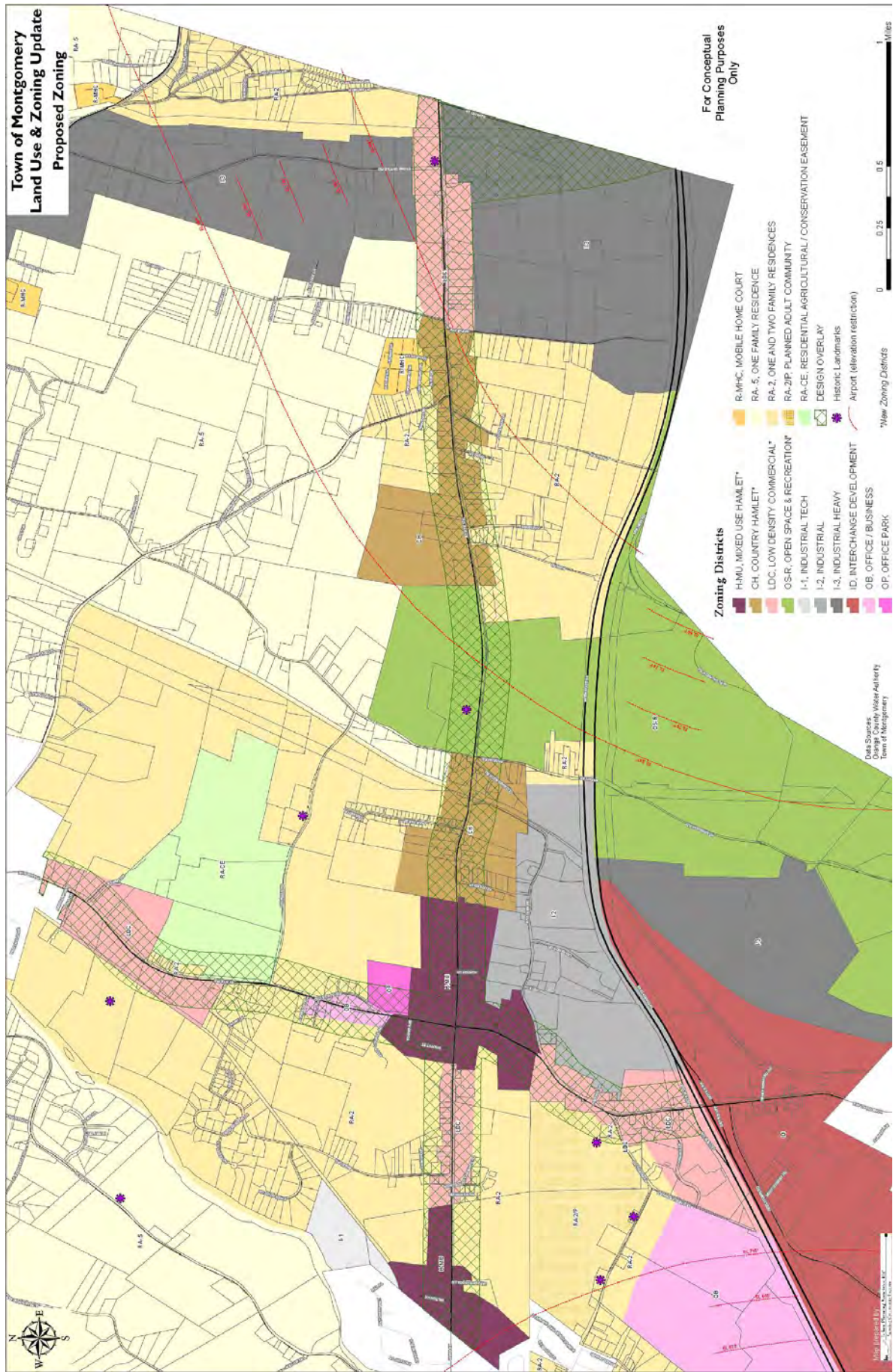
*No changes proposed – not shown.*

**B: Zoning Map - Existing**



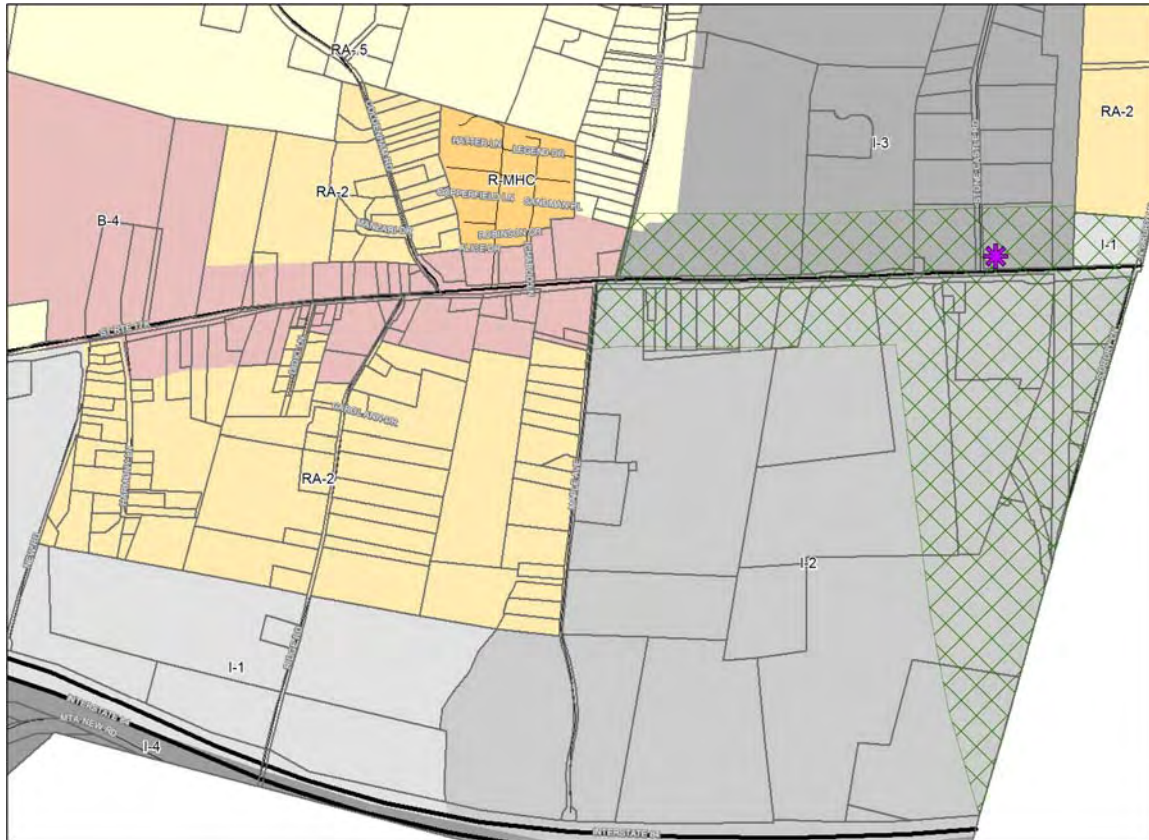


**C: Zoning Map - Proposed**



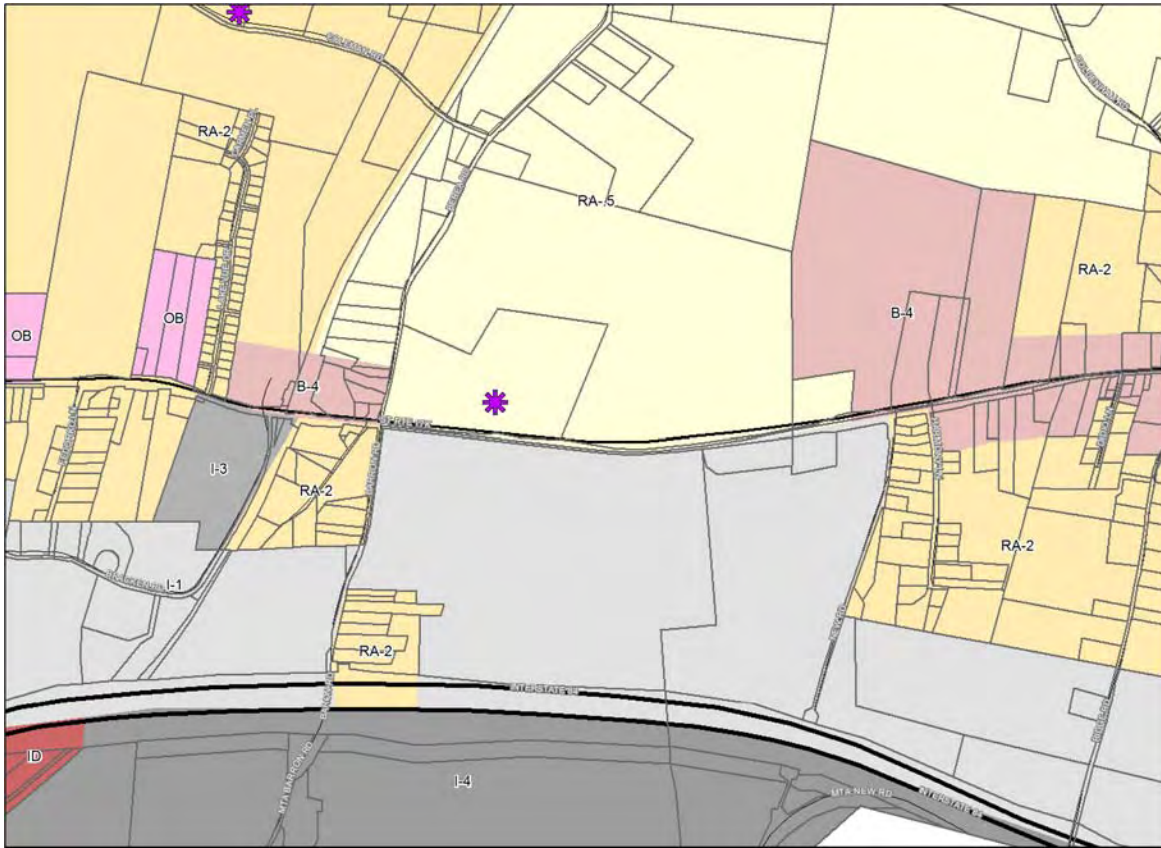


**Detail of Map Changes – East: Existing zoning (top), Proposed zoning (bottom).**



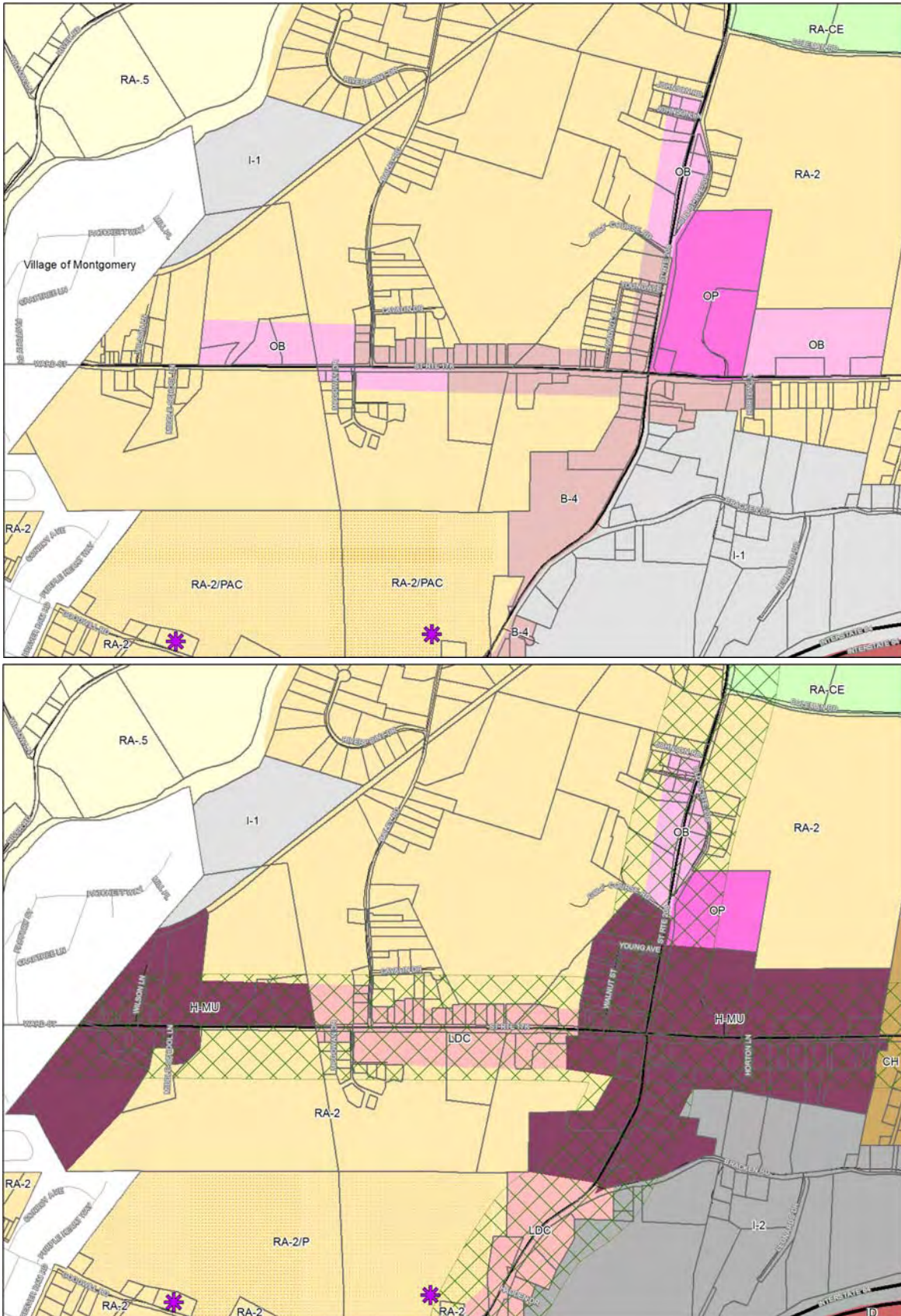


**Detail of Map Changes – Center: Existing zoning (top), Proposed zoning (bottom)**

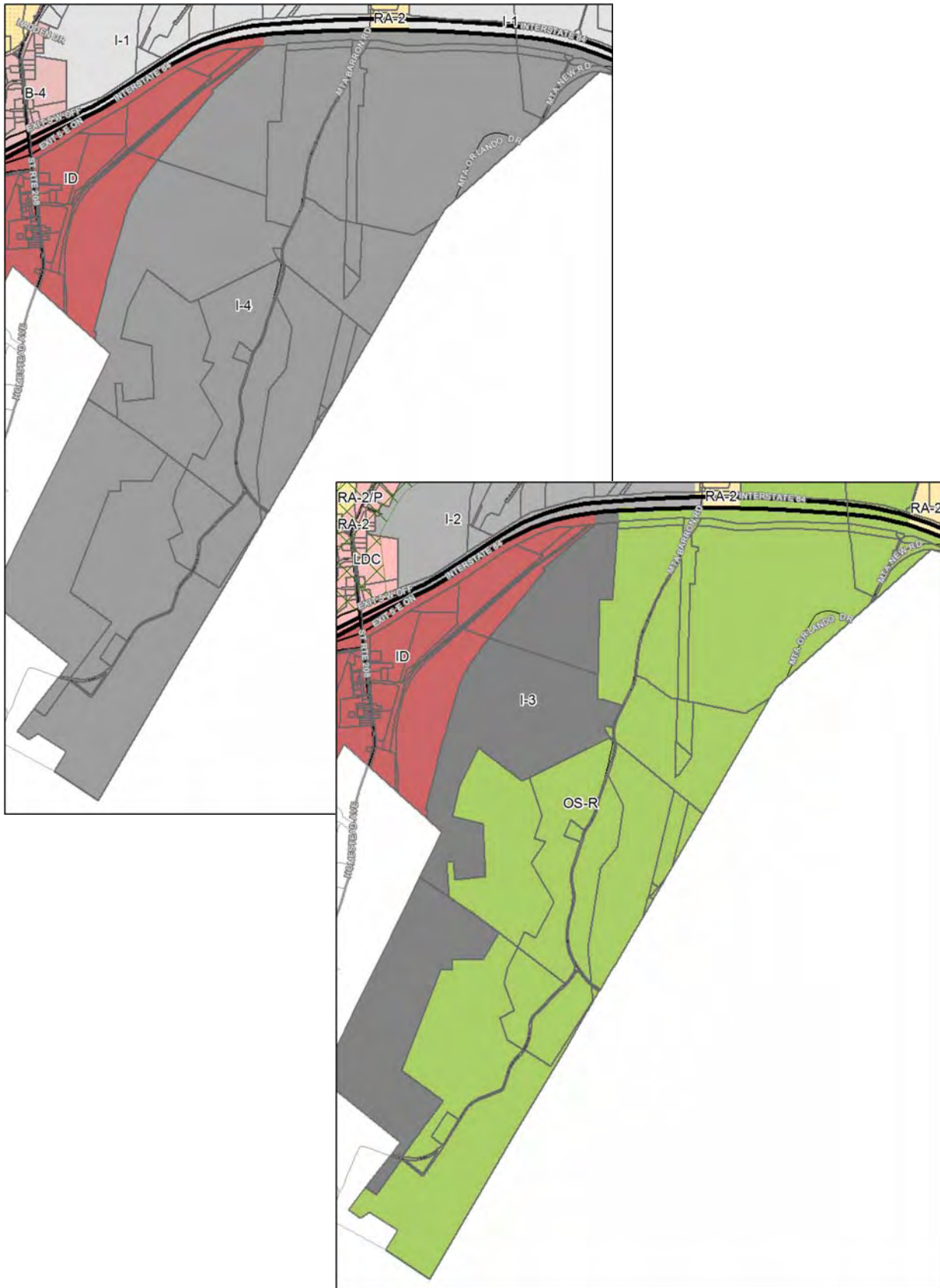




**Detail of Map Changes – West: Existing zoning (top), Proposed zoning (bottom)**

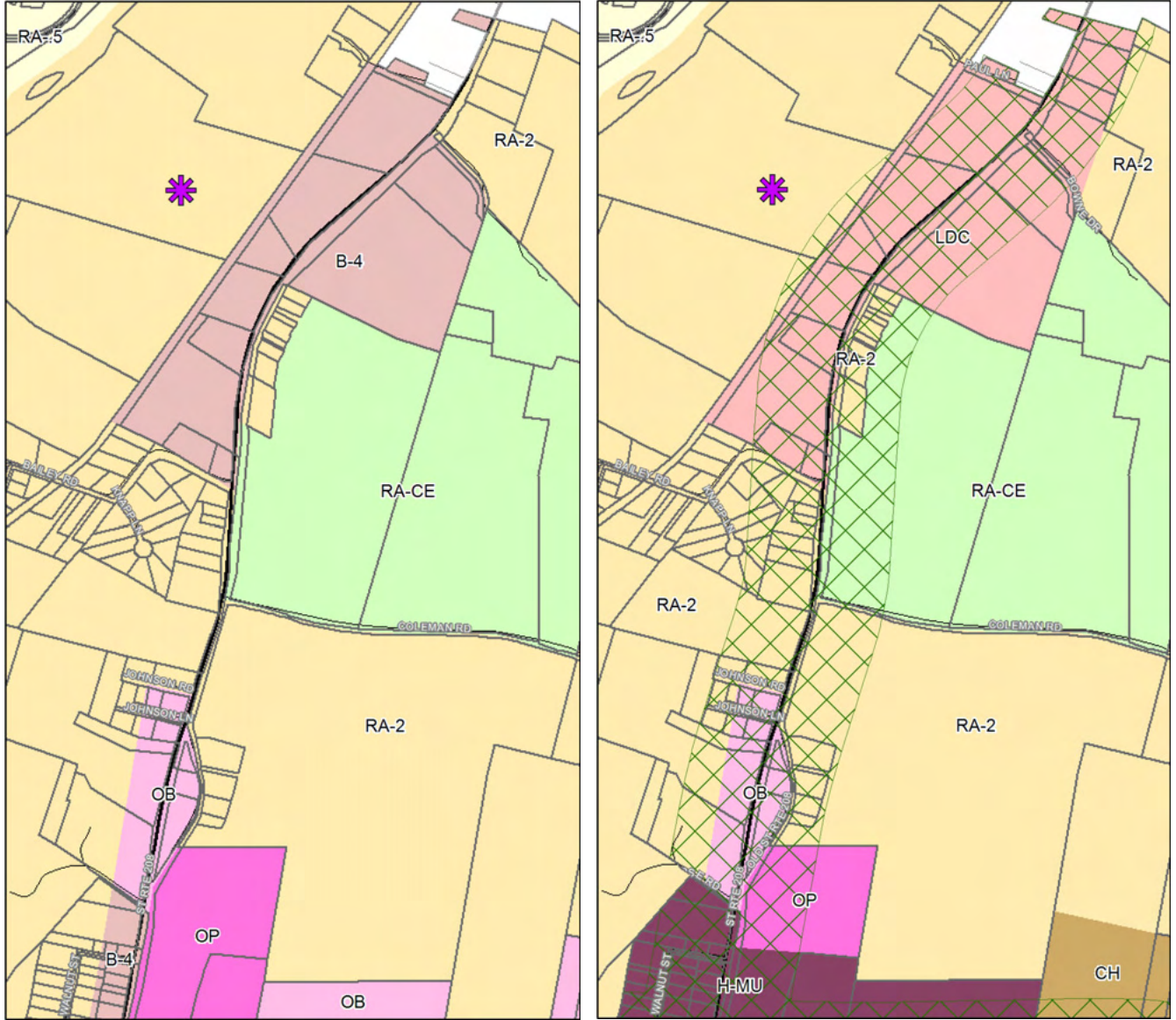


**Detail of Map Changes – South: Existing zoning (top), Proposed zoning (bottom)**





**Detail of Map Changes – North: Existing zoning (left), Proposed zoning (right)**



## **E: ZONING CODE CHANGES, CONTINUED**

- Section 60-10** Residence Agricultural Districts – Table of Use Regulations
- Add new PAC zone to chart, coordinate
- Section 60-20** Residence Agricultural Districts – Dimensional Regulations
- Add new PAC zone to chart, coordinate
- Section 70-10** Business Industrial Districts – Use Regulations
- Add all new zones to list and organize / reformat for clarity
  - Delete or merge existing B-1, I-4 districts
  - Update uses to reflect 70-50-1.01, 70-50-2.01
  - Update uses list, check to include uses from 130-40-30
  - See Proposed Uses list in appendix for preliminary changes.
- Section 70-20** Business Industrial Districts – Dimensional Regulations
- Add all new zones to list and organize / reformat for clarity
  - Update dimensions table
- Section 70-60** Gateway Overlay District
- Rename “Design Overlay District”
  - Update areas to include more of 17k/208
  - Revise existing standards for district specific goals
- Section 80-10-20** Billboards
- Confirm billboards are prohibited, strengthen zoning text as needed or merge this section into sign regulations.
- Section 90-40-70** Front Yard Setback Overlay District
- Must be crosschecked and verified, otherwise incorporated into new code
  - Modified as needed
- Section 90-60** Spacing Between Buildings
- Modify for conflicts against any new or existing setback regulations
- Section 90-90** Required Transitional Yards and Screening
- Modify for conflicts against any new or existing setback regulations
- Section 100-30** Off street parking requirements – non residential
- Update uses list – coordinate with Use Schedule
  - Revise minimums and add maximums to specific uses
  - Make specific for certain zones
  - Include parking layout standards, incentives for reduced/shared parking.
- Section 110** Sign Regulations
- Update to provide sign regulations specific to new districts

- Revise existing sign regulations to add maximum heights and reduce size somewhat.
- Existing sign regulations would apply to LDC (Former B-4), Office and Industrial districts.
- Add new sign regulations for CH and MUH districts; would include smaller sizes, no freestanding or internally lit, etc – generally nicer appearance.
- Create sign schedule which shows what is allowed in each district.
- Existing signs will be grandfathered until altered or a change of use occurs; new signs must comply with new regulations.

### **Section 130-40-30**

- All uses listed here should be merged with other special provisions

## **F: GATEWAY OVERLAY DISTRICT**

### **Section 235-14.5 Gateway Overlay District - Modifications**

- Special Dimensional Requirements – currently sufficient for Low Density Commercial district, these should be revised to specifically address issues in the hamlet zones. The one-hundred foot right-of-way would not allow for buildings to be close enough to the road to create the desired character of some districts. Special parking regulations and setbacks should be created for hamlet districts to accommodate increased density.
- Screening of parked vehicles – Suggest different planting separations. 10 foot distance is too close for trees, yet too far for shrubs or small evergreen trees to be effective.
- Parking area landscaping – expand on this section to create more specific planting requirements for different circumstances.
- Architectural review – add graphics depicting scale and character, sizes of signs, etc.

### **Gateway Overlay District – Additions**

In addition to the existing design guidelines outlined for the Gateway Overlay District, the following additional suggestions are recommended:

#### **Site Planning - General**

- Shared curb cuts and driveways.
- Reduced and flexible parking requirements.
- Reduce parking requirements
- Loading docks, drive-thrus, garage doors and similar vehicular service elements should be located at the rear of the building and out of sight from the street.
- Dumpsters and similar trash facilities should be located at the rear of the building and not visible from the street, and should be shielded from view



with the use of fences, walls and/or landscaping as directed by the reviewing board.

### **Site Planning - Mixed Use and Country Hamlet Zones**

- Locate parking areas behind or to the side of building structures rather than between the road and structure.
- Shared parking between adjacent properties to minimize the amount of required parking spaces in total.

### **Trees and Landscaping**

- Encourage healthy forest patch conservation of existing trees wherever possible and include ecologically appropriate plantings of new trees.
- No site clearing, earthwork, removals, or demolition without preliminary site plan approvals.
- Ensure existing vegetation and new plantings receive proper treatment including protection from soil compaction, proper planting soil mix and drainage, etc.

### **Parking**

- Where more than 20 parking spaces in a row or more than two parking aisles are proposed, a minimum of 5% of the interior area of the parking lot shall be landscaped using planted islands or medians.
- Landscaped islands and other green space should be consolidated into useful or meaningfully sized areas. Very narrow strips of grass or plantings less than ten feet in width should be kept to a minimum.
- Parking areas adjacent to a public right-of-way shall be screened using a minimum 10 foot wide buffer with a 3 foot high visual screen.

### **Landscape Buffers**

- A landscape buffer is required along property lines where a commercial or business use is adjacent to a residential zoning district or use. The buffer shall be a minimum of 20' in width with a minimum of five evergreen trees and 20 shrubs per 100 linear foot of length. Existing evergreen trees may fulfill this requirement.
- Where an industrial use is adjacent to a residential zoning district, a 100 foot wide buffer is required with a minimum of five evergreen trees and 20 shrubs per 100 linear foot of length. Existing evergreen trees may fulfill this requirement.
- Interstate 84 Buffer: Non-residential development which abuts Interstate 84 must provide a visual buffer from large building walls and roofs, loading docks, drive-thrus, garage doors and similar vehicular service elements, as well as trash facilities and parking areas. A mix of evergreen and deciduous trees at a minimum of five evergreen trees per 100 linear foot of length should be provided.

- The Planning Board may modify the buffer requirements on a case to case basis in order to minimize the adverse impacts of development upon adjacent uses and to reasonably accommodate new development while protecting existing and future land uses.

#### **Frontage Along Public Streets**

- Mixed Use Hamlet – The role of landscaping in the Mixed Use Hamlet zone is to soften building edges and other hardscape, provide shaded pedestrian areas, and to create and enhance spaces with texture and splashes of color. Parking areas should be screened where possible with a 3’ high visual barrier of shrubs, trees, berms, or fences. Building entrances should be emphasized through bed plantings or planter boxes, and accents of hanging planting baskets can be provided on light posts or other vertical structures. A continuous sidewalk should be provided for pedestrian use and street trees provided along the sidewalk where space permits.
- Country Hamlet – Similar to the landscaping for the Mixed Use Hamlet, the Country Hamlet zone should be landscaped to create and enhance pedestrian areas and provide emphasis for entry points. Trees may be planted in groups of three or four, or as regularly spaced street trees. The groupings evoke a natural feel reminiscent of the countryside, but when used in conjunction with the architectural and site planning guidelines for the Country Hamlet will produce a sense of place that acts as a transition from the Mixed Use to Low Density Commercial. Parking areas should be screened with a 3’ high visual barrier of shrubs, trees, berms, or fences. Building entrances should be emphasized through perennial/annual bed plantings or planter boxes that provide texture and color.
- Low Density Commercial – The allowance of greater setback distances in this zone is accompanied by more intense landscaping requirements in the front yard areas. A minimum number of trees per square footage, a minimum 3’ high buffer for parked vehicles, and guidelines for planting beds which would include a mix of plants such as shrubs, perennials, and annuals to enhance entries of property and building.

#### **Plant and Tree Sizes**

- The following plant sizes are the minimum required at time of installation. However, the Planning Board may require larger material to address particular site issues.
- Deciduous shrubs: 24” spread or height or 3 gallon container
- Evergreen shrubs: 18” spread or height or 3 gallon container
- Coniferous trees: 6’ height

- Ornamental and understory trees: 1.25" caliper
- Deciduous shade trees: 2.5" caliper
- Ground cover: 2.5" pot (or similar size if not provided in pots)

### **Signs**

- Multi-tenant shopping plaza signs will be permitted a free standing sign which gives the name and street address of the plaza only – not the listing of each individual tenant.
- Limiting free standing signs only to buildings or plazas far from the road in the Low Density Commercial District.
- Façade mounted letters or sign boards which are framed by or integrated into architectural features will be required in Country and Mixed Use Hamlet Districts.
- Small scale, natural exterior materials should be used whenever possible.
- Reduce maximum size limits for all signs.
- Discourage using buildings as signs.
- Prohibit some types of internally lit signs.
- Phase out non-conforming signs within five years.

### **Architectural - General**

- New development shall be architecturally cognizant of its surroundings and will reflect traditional design elements of the character area.
- New structures should be kept in scale and massing of neighboring buildings.
- Large scale architectural features (uninterrupted picture windows, continuous awnings, garage doors) are discouraged near the front of the site.
- Large, unarticulated or windowless walls are prohibited along the front façade or near public areas.
- Primary building entry should be highlighted by different massing, gateway element, covered porch, recess in the façade and/or similar architectural treatment.
- Larger retail structures and shopping plazas must articulate their primary façade(s) with various design features, massing elements and rooflines to break up the scale of the building.
- The tallest façade of the building should face the street.
- Roofs of new construction should be compatible with style, character and scale of neighboring roofs and sloped roof structures are encouraged. Roof structures should be designed to divert rain and snow away from pedestrian areas.
- Air handling units, condensers, satellite dishes and other equipment placed on the roof should not be visible from the street.

- Proportions of design elements such as windows, columns or bay spacing should be kept consistent with as possible with the façade.
- Articulations or other windows in the plane of the façade are required to create an interesting design. Very flat façade designs are prohibited.
- Façade designs should set up a pattern with the use of window spacing. The ground floor should have the largest façade windows. Very large, uninterrupted window openings are discouraged.
- Small scale, natural materials should be used whenever possible for the exterior of buildings. Primary materials or color theme should be of a natural, muted shade. Brighter, more vibrant colors should be used as accent and used sparingly.
- Special design patterns included in the façade are encouraged, as well as a contrast between primary and accent materials or colors.
- Allowed materials will differ by zone.

#### **Architectural - Mixed Use and Country Hamlet Zones**

- The majority of the building mass and/or height should be placed near the front setback line for new development along public streets.
- Building mass at the front of the site should be articulated with design features to give a small, pedestrian scale appearance.

### **G: ADDITIONAL RECOMMENDATIONS**

**Adult Entertainment:** The current local laws do not specifically address, or permit, adult entertainment venues within the Town of Montgomery, creating uncertainty and a lack of direction if such uses are proposed. Due to constitutional protections, a town cannot prohibit adult entertainment, but it is permitted to regulate specific areas and conditions where it would be allowed. We recommend that a brief study be conducted to document the secondary effects of adult uses on neighboring areas, and the findings of this study be used to quantify effective buffer arrangements within the zoning code. Such buffers could limit the locations of new adult uses based on their proximity to residential areas, schools, churches, children play areas or to each other.

**GEIS:** A Generic Environmental Impact Statement or similar type of study for Route 17K and environs in the vicinity of Drury Lane is the highest priority project for the town (based primarily on the development of a new exit for Stewart Airport off of I-84). As construction is currently underway, study of this area through the GEIS process including the creation of new zoning regulations, design guidelines, and a detailed plan for growth and development (build-out plan) should be initiated as soon as possible.

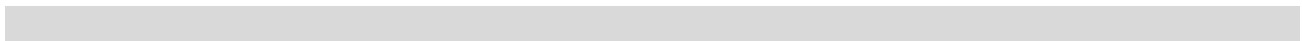
The Comprehensive Plan recommends the preparation of a “Corridor Management Plan” for Route 17K (*Page 2-6*) which would help to identify future improvements and establish standards for access management and modifications to zoning. We recommend that, based on the growth potential from the new I-84 exit at Drury Lane and potential expanded capacity through planned roadway improvements, this type of study should be conducted as a Generic Environmental Impact Statement (GEIS).

The GEIS would allow the town to plan for the future build-out of the corridor and surrounding areas, ensure that future development meets standards and goals for the community, and allow for (and encourage) a higher level and quality of development. For example, this process would enable the town to invest, up-front, in infrastructure improvements such as roads or other public services that individual development applicants could not otherwise provide. As development occurred, the town could receive mitigation fees to cover the cost of the enhanced services provided to these areas. Overall, the quality of development would meet a higher standard and provide an increased commercial tax base. In contrast, if each business had supplied infrastructure on an individual or piecemeal basis, it is likely that the total development build-out will be uncoordinated be at a relatively lower grade.

**GEIS Program Alternatives:** In terms of a geographic scope, the following areas could be studied as part of a Route 17 GEIS program:

- Route 17K from Newburgh town line to Coldenham area including Drury Lane and surrounding areas (vicinity of new I-84 exit) – as described above – our highest priority project.
- Same as above with inclusion of Route 17K from Newburgh town line to Village of Montgomery
- Same as above including Route 208 and Exit 5 environs.

**Corridor Management Plans:** A detailed analysis of Route 17K, 52, and 208 with the intent to refine zoning regulations, develop design guidelines, and incorporate access management. These plans could be coordinated with the GEIS mentioned above or conducted individually.





## **V. APPENDIX**

### **A: MEETING AGENDAS / NOTES**

ADVISORY COMMITTEE MEETING 01  
SEPTEMBER 15TH, 2006 (10:00 A.M.)  
MONTGOMERY TOWN HALL

1. PROJECT HIGHLIGHTS
  - a. PROJECT STUDY AREA
  - b. WHY LAND USE AND ZONING FOR 17K?
  - c. SCOPE AND SCHEDULE
  
2. PUBLIC PARTICIPATION
  - a. VISIONING/WORKSHOP
    - i. DATES, TIME, LOCATION, ETC.
    - ii. NOTIFICATION
  
3. NEXT STEPS
  - a. FIELD VISITS
  - b. INTERVIEWS
  - c. NEXT COMMITTEE MEETING
  - d. DEVELOPMENT OF VISIONING WORKSHOP

ADVISORY COMMITTEE MEETING 02  
JANUARY 29TH 2007 (4:00 P.M.)  
MONTGOMERY TOWN HALL

1. COUNTY 4-H PARK CONCEPT
  - a. TOM DAVIS PRESENTATION
  
2. WORKSHOP SUMMARY
  - a. IMAGE SURVEY
  - b. BREAK-OUT GROUPS
  
3. CONCEPT MAP
  - a. PROPOSED LAND USE MAP FOR CORRIDOR
  
4. NEXT STEPS
  - a. FIELD VISITS AND INTERVIEWS
  - b. DRAFT LAND USE MAP AND ZONING
  - c. NEXT COMMITTEE MEETING

PUBLIC WORKSHOP NOTES – NOVEMBER 2006  
ROUTE 17K / ROUTE 208 LAND USE AND ZONING PROJECT.

**AREAS OF CHANGE:** IDENTIFIED AREAS THAT COULD BE IN NEED OF IMPROVEMENT

1. I-1 DRURY LANE (EAST TO COLDENHAM)
  - NO USE FOR SMALLER LOT SIZE OWNER
  - ZONING PERMITTED, NOT APPEALING STRUCTURES
  - WANTS TO SEE EYE APPEALING; LIKE OFFICE/RETAIL BUILDINGS – PICTURESQUE
  - CLOSED AT NIGHT
2. 17K – 208 (CROSSROADS)
  - MORE APPEALING
3. INDUSTRIAL ZONE ON 17K (EAST & WEST OF NEW ROAD)
  - NEEDS INGRESS-EGRESS WITHOUT PASSING RESIDENTIAL HOMES
4. 17 & RT. 208 @ SCOTTS CORNERS
5. WEST SIDE OF 208
6. SOUTH OF 17K
7. ENTERING TOWN FROM EAST
  - SMALLER LOTS – MAYBE OFFICE TO RETAIL WITH LESS VISUAL IMPACT (APPEALING TO EYE) & SMALL BUSINESS

**SCOTT’S CORNERS AREA**

PARK @ RUINS & 17S SETTING

INDUSTRIAL ZONE EXISTS WITH NO ACCESS, EXCEPT THRU RESIDENTIAL

BRACKEN RD/208 INTERSECTION MAY NEED A TRAFFIC LIGHT

COUNTY PARK TO 4H PARK

**AREAS OF STABILITY:** IDENTIFIED POINTS THAT ARE NOT IN NEED OF SIGNIFICANT IMPROVEMENT

1. 17K @ BEREA ROAD – BRICK HOUSE COUNTY PARK & MONTGOMERY TOWN PARK
2. LAND ACROSS (PARK) CURRENTLY ZONED INDUSTRIAL – COLDENHAM
3. 8000 ACRES – SOUTH OF 84
4. WALDEN SAVINGS BANK & OFFICE SPACE
  - BRICKHOUSE/FARMER’S MUSEUM
  - COLDENHAM – SLOW DOWN TRAFFIC
  - ENHANCE DESIGN STANDARDS
  - NEW OFFICE PARK – LIKE BANK & NUGENT & HAUSLER
  - COMMERCIAL CHANGE FOR BRINK @ 208 INTERSECTION, NOT NEEDED
  - WANT FUTURE OFFICE BUILDINGS BY BANK TO FOLLOW STYLE OF BANK, BUT SMALLER SCALE
  - DRAINAGE ISSUES ON 17K
  - PARKING BEHIND STORES
  - TRAIL/SIDEWALK FROM HS TO VILLAGE – OPEN WITH UNOBSTRUCTED VIEWS
  - LOWER SPEED LIMIT & SIDEWALKS THRU CORRIDOR

**I-84 AREA**

- CONCERNS
  - TRAFFIC - TRUCK

- INDUSTRIAL/CORPORATE PARK

#### DESIGNATE OPPORTUNITY AREAS

#### **I-84 CONCERNS**

- TRAFFIC – TRUCK
- INDUSTRIAL VS. CORPORATE
- ROAD CONDITION
- SEWER & WATER DEVELOPMENT (LIMITATIONS)\*
  - COLDENHAM – REDEVELOP IN KEEPING WITH HAMLET
  - 4-LANE 17K? / BOTTLENECKS
- RECREATION / BALL FIELD – MUSEUM
- SMALL, EDUCATIONAL CAMPUSES
- PROFESSIONAL PLAZA
- PLEASE NO MORE
  - GAS STATIONS
  - BIG BOX

#### **B: PROPOSED USE SCHEDULE**

See charts – next page

PROPOSED USE SCHEDULE: Existing districts shown on left, new (proposed) districts shown on right. Note that this chart does not show residential, industrial or Interchange Development (ID) districts. The existing B1 district is proposed to be deleted, and is shown for informational purposes only. The existing B-4 district is proposed to be renamed 'LDC'. Specific changes to existing uses are indicated by (REM) for 'Removed' and (ADD) for 'Added'. Uses shown in green text are new use categories.

PRIMARY USE	COMMERCIAL OR BUSINESS ZONES						
	EXISTING				NEW		
	O/B	OP	DELETED (B-1)	LDC (B-4)	CH	MUH	OS-R
<b>Community Services &amp; Facilities</b>							
General civic use	SE	SE	SE	SE	SE	SE	SE
School; university, college or trade		SE		P (REM)			
School; nursery, day-care, elementary or high	SE		SE	SE (REM)	SE	SE	
Place of worship	SE		SE	SE	SE	SE	SE
<b>Residential</b>							
Single family; detached dwelling					P		
Two family detached dwelling / One family semi detached					P		
Conversion of One family dwelling to multi-family					P		
Single family; with commercial mixed use	SE		SE	SE	SE	SE	
Multi-family; with commercial mixed use	SE		SE	SE	SE	SE	
Licensed mobile home court							
Planned Adult Community (PAC)					SE	SE	
Campground	SE		SE	SE			SE
Integrated residential, agricultural and light industrial							
<b>Farming &amp; Agriculture</b>							
Agriculture or horticulture		P (REM)					P
Agriculture, horse farm					P		P
Agriculture, other livestock							SE
<b>Commercial Business &amp; Services</b>							
General business or office not specified below	SE	SE		SE	SE	SE	SE
Services; professional offices	P	P	P	P	P	P	
Services; personal care	P			SE	P	P	
Services; light repair and maintenance				P	P	P	
Services; laundromat/dry cleaning on premises < 4000 sf	P		P	SE	P	P	
Services; laundromat/dry cleaning on premises > 4000 sf							
Services; laundromat; self-serve or drop off only	P			P	P	P	
Retail; single tenant, < 15,000 sf	P			P	P	SE	
Retail; single tenant, 15,000 sf - 40,000 sf	SE			SE			
Retail; single tenant, > 40,000 sf							
Retail; multi-tenant shopping center	SE		SE	SE	SE	SE	
Retail; with drive-thru	SE			SE			
Retail; grocery food or beverage sales	SE	SE		P	P	P	
Retail; on site manufacturing and sales of goods	P		P				
Retail; landscaping or gardening with outdoor display				P	P	SE	
Motor vehicle; service, repair or washing				SE			
Motor vehicle; fuel station				SE			
Motor vehicle; truck terminal with services							
Motor vehicle; sales				SE			
Motor vehicle; sales, small				P	P		
Motor vehicle; sales, enclosed indoors	P			P	P		
Research, development or testing laboratory		SE		SE			
<b>Food, Drink &amp; Entertainment</b>							
Restaurant; indoor, fully enclosed	SE		P	P	P	P	
Restaurant; with outdoor seating	SE			P	SE	SE	
Restaurant; with drive-thru, drive up or curb service				SE			
Tavern or bar	SE		P	P	SE	SE	
Entertainment; theatre, auditorium or assembly		SE		SE	SE	SE	
Entertainment; outdoor auditorium or assembly		SE			SE	SE	SE
Entertainment; drive-in theatre							
Entertainment; adult							

PRIMARY USE	EXISTING				NEW		
	O/B	OP	DELETED	LDC	CH	MUH	OS-R
			(B-1)	(B-4)			
<b>Lodging &amp; Recreation</b>							
Boarding; hotel, inn, rooming house or B&B		P		SE	P	P	
Boarding; motel		P		SE			
Recreation; commercial, not specified below				SE	SE		
Recreation; outdoor, public	P	P	P	P	P	P	P
Recreation, outdoor, private club or golf course	P	P		P	P		
Recreation, indoor public				P	P	SE	
Recreation, private fraternal or social club	SE	SE	SE	SE	SE	SE	
<b>Health &amp; Medical Services</b>							
Medical offices or clinic, outpatient				SE	SE	SE	
Medical offices or hospital, inpatient	SE (ADD)						
Nursing home or assisted living				SE	SE	SE	
Veterinary clinic or animal services with boarding				SE	SE		
Mortuary or funeral home	P		P	P	P		
Cemetery							SE
Sanitarium				SE			
Crematorium							
<b>Arts &amp; Media</b>							
Printing or publishing, < 3000 sf		SE		P			
Printing or publishing, > 3000 sf							
Television or radio station	P	P	P	P (REM)			
<b>Storage &amp; Utilities</b>							
Storage; outdoors, non-hazardous			SE	SE			
Storage; indoors, non-hazardous	SE		P	SE			
Storage; self rental units							
Storage; wholesale or distribution center < 3 truck bays				SE (REM)			
Storage; wholesale or distribution center >= 3 truck bays				SE (REM)			
Storage; fuel				SE (REM)			
Storage; Low Pressure Gas (LPG) filling station							
Utility; public service	SE	SE	SE	SE	SE	SE	SE
Utility; small above ground structure	P	P	P	P	SE	SE	SE
Utility; transmitting or communications tower	SE			SE			
Utility; municipal works yard or structure				SE			
<b>Transportation</b>							
Parking; off-street							
Parking; off-street municipal							
Parking; garage		SE					
Parking; garage municipal							
Public taxi or bus station							
Public train station					SE		SE
Public bus passenger shelter	P	P	P	P	P	P	P
Airport or airstrip							
Heliport		SE					
<b>Industry and Manufacturing</b>							
Industry; general							
Industry; general, non-nuisance		SE					
Industry; general, limited non-nuisance		SE		SE			
Industry; slaughterhouse							
Industry; food processing or preparation							
Manufacturing; clothing or accessories				SE			
Recycling; salvage yard							
Recycling; transfer facility, enclosed							
Recycling; waste tire storage and processing							
Recycling; composting facility							
Recycling; wood chipping facility							
Earth extraction; temporary mining or removal operations	SE		SE	SE			
Earth extraction; quarrying or mining, hauling							

PRIMARY USE	INDUSTRIAL ZONES RESTRUCTURED			
	ID	I-1	I-2	I-3
<b>Community Services &amp; Facilities</b>				
General civic use	P	SE	SE	SE
School; university, college or trade		SE (ADD)	SE (ADD)	P (REM)
School; nursery, day-care, elementary or high		SE	SE	SE
Place of worship		SE	SE	SE
<b>Residential</b>				
Single family; detached dwelling				
Two family detached dwelling / One family semi detached				
Conversion of One family dwelling to multi-family				
Single family; with commercial mixed use				
Multi-family; with commercial mixed use				
Licensed mobile home court				
Planned Adult Community (PAC)				
Campground	SE	SE	SE	SE
Integrated residential, agricultural and light industrial				
<b>Farming &amp; Agriculture</b>				
Agriculture or horticulture	P	P	P	P
Agriculture, horse farm	P (REM)	P	P	P
Agriculture, other livestock	P (REM)	P	P	P
Agriculture; roadside market or farm stand	P (ADD)	P (ADD)	P (ADD)	P (ADD)
<b>Commercial Business &amp; Services</b>				
General business or office not specified below	SE	SE	SE	SE
Services; professional offices	P	P	P	P
Services; personal care	SE			
Services; light repair and maintenance	SE	P (ADD)	P (ADD)	P
Services; laundromat/dry cleaning on premises < 4000 sf	SE	P (ADD)	P (ADD)	
Services; laundromat/dry cleaning on premises > 4000 sf	SE		P (ADD)	P
Services; laundromat; self-serve or drop off only				
Retail; single tenant, < 15,000 sf	SE			
Retail; single tenant, 15,000 sf - 40,000 sf	SE			
Retail; single tenant, > 40,000 sf	SE			
Retail; multi-tenant shopping center	SE			
Retail; with drive-thru	SE			
Retail; grocery food or beverage sales	SE			
Retail; on site manufacturing and sales of goods				
Retail; landscaping or gardening with outdoor display	SE			
Motor vehicle; service, repair or washing	SE	P (ADD)	P (ADD)	P
Motor vehicle; fuel station	SE			
Motor vehicle; truck terminal with services	SE			
Motor vehicle; sales	SE			SE
Motor vehicle; sales, small	SE		P (ADD)	P (ADD)
Motor vehicle; sales, enclosed indoors	P (ADD)	P (ADD)	P (ADD)	P (ADD)



	RESTRUCTURED			
	ID	I-1	I-2	I-3
Research, development or testing laboratory	P	P	SE	P
<b>Food, Drink &amp; Entertainment</b>				
Restaurant; indoor, fully enclosed	P	SE	SE (REM)	
Restaurant; with outdoor seating	SE	SE (ADD)		
Restaurant; with drive-thru, drive up or curb service	SE			
Tavern or bar	SE			
Entertainment; theatre, auditorium or assembly	SE			
Entertainment; outdoor auditorium or assembly	SE	SE (ADD)		
Entertainment; drive-in theatre				
Entertainment; adult	SE (ADD)			
<b>Lodging &amp; Recreation</b>				
Boarding; hotel, inn, rooming house or B&B	P	SE (REM)	SE (REM)	
Boarding; motel	P	SE (REM)	SE (REM)	
Boarding; kennel, private				
Recreation; commercial, not specified below	SE			
Recreation; outdoor, public	P	P	P	P
Recreation, outdoor, private club or golf course		P		
Recreation, indoor public	SE			
Recreation, private fraternal or social club	SE			
<b>Health &amp; Medical Services</b>				
Medical offices or clinic, outpatient		P		
Medical offices or hospital, inpatient		SE		
Nursing home or assisted living				
Veterinary clinic or animal services with boarding	SE	P (ADD)		
Mortuary or funeral home	P			
Cemetery				
Sanitarium		SE		
Crematorium			SE	SE
<b>Arts &amp; Media</b>				
Printing or publishing, < 3000 sf	P	P	P	P
Printing or publishing, > 3000 sf	SE	SE	P	P
Television or radio station	P	P	P	P
<b>Storage &amp; Utilities</b>				
Storage; outdoors, non-hazardous	SE (REM)		P (ADD)	P
Storage; indoors, non-hazardous	P		P	P
Storage; self rental units	P		P	P
Storage; wholesale or distribution center < 3 truck bays	SE	SE (REM)	SE	SE
Storage; wholesale or distribution center >= 3 truck bays	SE (REM)	SE (REM)	SE (REM)	SE
Storage; fuel	SE			SE
Storage; Liquefied Petroleum Gas (LPG) filling station	SE			SE
Utility; public service	SE	SE	SE	SE
Utility; small above ground structure	P	P	P	P
Utility; transmitting or communications tower	SE	P	P	P
Utility; municipal works yard or structure	SE	SE	SE	SE
<b>Transportation</b>				

	RESTRUCTURED			
	ID	I-1	I-2	I-3
Parking; off-street	P	P	P	P
Parking; off-street municipal	P	P	P	P
Parking; garage	SE	SE	SE	SE (ADD)
Parking; garage municipal				
Public taxi or bus station	SE	SE (ADD)	SE (ADD)	SE
Public train station	SE	SE (ADD)	SE (ADD)	SE
Public bus passenger shelter	P	P	P	P
Airport or airstrip		SE	SE	SE
Heliport	SE (REM)	SE	SE	SE
<b>Industry and Manufacturing</b>				
Industry; general	SE			SE
Industry; general, non-nuisance	SE	SE	P	P
Industry; general, limited non-nuisance	SE	P	P	P
Industry; slaughterhouse*				SE
Industry; food processing or preparation			SE	SE
Manufacturing; clothing or accessories	SE	SE	SE	P
Recycling; salvage yard	SE (REM)			SE
Recycling; transfer facility, enclosed	SE			SE
Recycling; waste tire storage and processing	SE (REM)			SE
Recycling; composting facility*				SE
Recycling; wood chipping facility*	SE (REM)			SE
Earth extraction; temporary mining or removal operations	SE			SE
Earth extraction; quarrying or mining, hauling	SE			SE

# Old / New Name Comparison

## PRIMARY USE

## Formerly Listed As

### Community Services & Facilities

General civic use  
 School; university, college or trade  
 School; nursery, day-care, elementary or high  
 Place of worship

Public library, museum, community center / Fire station, municipal office or ot  
 Vocational school  
 Nursery school / School, elementary or high, public, denominational or private  
 Church or similar place of worship, parish house, seminary, convent, dormitor

### Residential

Single family; detached dwelling  
 Two family detached dwelling / One family semi detached  
 Conversion of One family dwelling to multi-family  
 Single family; with commercial mixed use  
 Multi-family; with commercial mixed use  
 Licensed mobile home court  
 Planned Adult Community (PAC)  
 Campground  
 Integrated residential, agricultural and light industrial

Single family and two family dwelling  
 Single family and two family dwelling  
 Conversion of existng residential structure into a multi-family dwelling  
 Dwelling units over or in rear of first floor non-residential uses  
 Dwelling units over or in rear of first floor non-residential uses  
 Licensed mobile home court  
 Planned Adult Community  
 Campground  
 Integrated Residential, Agricultural and Light Industrial Community

### Farming & Agriculture

Agriculture or horticulture  
 Agriculture, horse farm  
 Agriculture, other livestock  
 Agriculture; roadside market or farm stand

Agriculture, horticulture, truck, dairy and poultry farming, and raising of livesto  
 Agriculture, horticulture, truck, dairy and poultry farming, and raising of livesto  
 Agriculture, horticulture, truck, dairy and poultry farming, and raising of livesto

### Commercial Business & Services

General business or office not specified below  
 Services; professional offices  
 Services; personal care  
 Services; light repair and maintenance  
 Services; laundromat/dry cleaning on premises < 4000 sf  
 Services; laundromat/dry cleaning on premises > 4000 sf  
 Services; laundromat; self-serve or drop off only  
 Retail; single tenant, < 15,000 sf  
 Retail; single tenant, 15,000 sf - 40,000 sf  
 Retail; single tenant, > 40,000 sf  
 Retail; multi-tenant shopping center  
 Retail; with drive-thru  
 Retail; grocery food or beverage sales  
 Retail; on site manufacturing and sales of goods  
 Retail; landscaping or gardening with outdoor display

Bank / Office: business, professional or utility  
 Health clubs and fitness centers / Personal service shop; barber shop, beauty  
 Repair shops for household and/or personal appliances  
 Dry cleaning plant of more than 4,000 sq. ft. / Laundry plant more than 4,000  
 Retail store or shop  
 Retail store or shop  
 Retail store or shop  
 Shopping center  
 Retail store or shop  
 Retail store or shop  
 Shop for custom work and for making articles to be sold at retail on premises  
 Retail store or shop

Motor vehicle; service, repair or washing  
 Motor vehicle; fuel station  
 Motor vehicle; truck terminal with services  
 Motor vehicle; sales  
 Motor vehicle; sales, small  
 Motor vehicle; sales, enclosed indoors

Repair garage / Automobile laundries  
 Filling station  
 Truck Terminal / Full service truck stops which must include a restaurant, rest  
 Motor vehicles, mobile home or boat salesroom or outdoor sales lot for produ  
 Motor vehicles, mobile home or boat salesroom or outdoor sales lot for produ  
 Motor vehicles, mobile home or boat salesroom or outdoor sales lot for produ

Research, development or testing laboratory

Research institute or laboratory

### Food, Drink & Entertainment

Restaurant; indoor, fully enclosed  
 Restaurant; with outdoor seating  
 Restaurant; with drive-thru, drive up or curb service  
 Tavern or bar  
 Entertainment; theatre, auditorium or assembly

Restaurant  
 Eating establishments: drive-in, open front or curb service  
 Eating establishments: drive-in, open front or curb service  
 Tavern  
 Arena, assembly hall / Theatre or motion picture theatre other than an outdoo

## Formerly Listed As

Entertainment; outdoor auditorium or assembly	Arena, assembly hall
Entertainment; drive-in theatre	
Entertainment; adult	not formerly listed
<b>Lodging &amp; Recreation</b>	
Boarding; hotel, inn, rooming house or B&B	Hotel
Boarding; motel	Motel
Boarding; kennel, private	
Recreation; commercial, not specified below	Commercial public recreation uses not otherwise permitted
Recreation; outdoor, public	Park, Playground or recreational area operated by the municipality
Recreation, outdoor, private club or golf course	
Recreation, indoor public	Bowling alley
Recreation, private fraternal or social club	Philanthropic, fraternal, social or education institution office or meeting room,
<b>Health &amp; Medical Services</b>	
Medical offices or clinic, outpatient	Hospital, sanitarium, nursing home, rest home
Medical offices or hospital, inpatient	Hospital, sanitarium, nursing home, rest home
Nursing home or assisted living	Senior assisted care facility / Hospital, sanitarium, nursing home, rest home
Veterinary clinic or animal services with boarding	Animal hospital, animal boarding
Mortuary or funeral home	Funeral home
Cemetery	
Sanitarium	
Crematorium	
<b>Arts &amp; Media</b>	
Printing or publishing, < 3000 sf	Printing and publishing plants
Printing or publishing, > 3000 sf	Printing and publishing plants
Television or radio station	Radio or TV broadcasting station
<b>Storage &amp; Utilities</b>	
Storage; outdoors, non-hazardous	Building contractor storage and/or equipment yard / Storage yard: building m
Storage; indoors, non-hazardous	
Storage; self rental units	
Storage; wholesale or distribution center < 3 truck bays	Warehouses up to two truck docks or bays / Wholesale business
Storage; wholesale or distribution center >= 3 truck bays	Warehouses with three or more truck docks or bays / Wholesale business
Storage; fuel	Fuel storage
Storage; Liquified Petroleum Gas (LPG) filling station	Liquified Petroleum Gas (LPG) Filling Station
Utility; public service	Public utility structure or right-of-way necessary to serve areas within the Mor
Utility; small above ground structure	Small utility structures located partially or wholly above ground necessary to s
Utility; transmitting or communications tower	not formerly listed
Utility; municipal works yard or structure	Municipal public works building / Public utility building, plant, structure or stor
<b>Transportation</b>	
Parking; off-street	
Parking; off-street municipal	
Parking; garage	Parking garage
Parking; garage municipal	
Public taxi or bus station	Public passenger, transportation station or terminal
Public train station	Public passenger, transportation station or terminal / Railroad yard
Public bus passenger shelter	Bus passenger shelter
Airport or airstrip	Airport
Heliport	Heliport
<b>Industry and Manufacturing</b>	
Industry; general	General industry
Industry; general, non-nuisance	Non-nuisance industry
Industry; general, limited non-nuisance	Limited non-nuisance industry / Machinery repair or service plant, non-nuisan
Industry; slaughterhouse*	Abattoir
Industry; food processing or preparation	not formally listed

**Formerly Listed As**

Manufacturing; clothing or accessories	Wearing apparel or accessories manufacture
Recycling; salvage yard	C and D processing facility
Recycling; transfer facility, enclosed	Transfer station
Recycling; waste tire storage and processing	Waste tire storage processing
Recycling; composting facility*	Composting facility
Recycling; wood chipping facility*	Wood chipping facility
Earth extraction; temporary mining or removal operations	Temporary sand and gravel removal operations
Earth extraction; quarrying or mining, hauling	Quarry, mining, loading, hauling and/or processing of sand, gravel shale or to

# DEFINITIONS / GLOSSARY

PRIMARY USE	COMMERCIAL OR BUSINESS ZONES
	EXISTING
	Definitions / Notes
<b>Community Services &amp; Facilities</b>	
General civic use	Government office, library, museum, gallery, post office, community center, park, fire station, etc. CULTURAL FACILITIES — The building and land used for the purposes of educational entertainment, including museums, libraries, art galleries, theaters for the performing arts, institutional philanthropic use and public meetings. PUBLIC BUILDING/USE — Any building or use used for municipal, civic, recreational or other public purposes, but not including proprietary or enterprise activities.
School; university, college or trade	SCHOOL - Any public or private school under the jurisdiction of the Commissioner of Education of the State of New York; an parochial school operated and maintained by any religious corporation authorized to perform its corporate functions in the State of New York; or any school chartered by the Board of Regents of the University of the State of New York.
School; nursery, day-care, elementary or high	DAY-CARE CENTER — A facility which is not a dwelling unit in which care is provided on a regular basis to three or more children or adults for more than three hours per day per person.
Place of worship	RELIGIOUS INSTITUTION — A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship.
<b>Residential</b>	
Single family; detached dwelling	DWELLING, ONE-FAMILY — A detached building containing one dwelling unit only.
Two family detached dwelling / One family semi detached	DWELLING, TWO-FAMILY — A detached or semidetached building containing two dwelling units only. DWELLING, ONE-FAMILY SEMIDETACHED — A building constructed for the use of two families, having one side yard and one wall for each unit and permitting separate ownership for each unit. CONDOMINIUM — A building or buildings, the dwelling units of which are individually owned, each owner receiving a deed enabling him to sell, mortgage or exchange his unit independent of the owners of the other units in the building or buildings. There shall be no fee simple sale of land involved.
Conversion of One family dwelling to multi-family	
Single family; with commercial mixed use	
Multi-family; with commercial mixed use	
Licensed mobile home court	MOBILE HOME COURT — A residential land use designed for the location of one or more mobile homes in designated mobile home spaces and including appurtenant facilities and accessory services for residents only.
Planned Adult Community (PAC)	see 130-40-30.24-a
Campground	CAMP — A parcel of land on which are located two or more cabins, tents, shelters or other accommodations of a design or character suitable for seasonal or other more or less temporary living purposes, including summer colony, resort and day camp, but not including a trailer park, hotel or motel.
Integrated residential, agricultural and light industrial	Check with Town what this is and if it needs to remain.
<b>Farming &amp; Agriculture</b>	
Agriculture or horticulture	General farming activity, including raising of crops, nursery or greenhouse. NURSERY — A building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation, together with gardening tools and implements which are sold at retail from such building or lot to the general public.
Agriculture, horse farm	STABLES, PRIVATE — Premises on which is maintained not more than one horse not the property of the proprietor and including horses of the proprietor not maintained for commercial purposes; is accessory to a farm or dwelling. STABLES, COMMERCIAL — Premises on which two or more horses not the property of the proprietor are boarded or on which horses are maintained commercially for hire, exhibition or sale. Any establishment where horses are kept for riding, training, driving or stable for compensation or incidental to the operation of any club, ranch or similar establishment.
Agriculture, other livestock	General livestock or dairy production. LIVESTOCK — sheep, horses, mules, donkeys, cattle and goats. POULTRY — Includes, but is not limited to, domesticated fowls, such as chickens, ducks, geese, turkeys, pigeons, guinea hens and pheasants, raised in confinement.
Agriculture; roadside market or farm stand	ROADSIDE STAND — A structure, which shall not exceed 100 square feet, where products grown or produced on the premises by the operator of the roadside stand may be sold and purchased.
<b>Commercial Business &amp; Services</b>	
General business or office not specified below	
Services; professional offices	lawyer, accountant, banking, insurance or real estate sales, engineer, etc.
Services; personal care	PERSONAL SERVICE — A building, or part of a building, in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop and hairdressing - barber, beauty shop, spa, tailor, tattoos, gym, fitness center, etc.
Services; light repair and maintenance	On site repair of household electronics, appliances, watch or shoe repair etc.
Services; laundromat/dry cleaning on premises < 4000 sf	LAUNDROMAT — Business premises equipped with individual clothes-washing and/or dry-cleaning machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use in a multiple dwelling.
Services; laundromat/dry cleaning on premises > 4000 sf	
Services; laundromat; self-serve or drop off only	
Retail; single tenant, < 15,000 sf	RETAIL BUSINESS — A commercial activity characterized by the direct on-premises sale of goods and services to the ultimate consumer, including on-premises manufacturing, processing and preparation customarily associated with department stores, food markets and similar establishments.
Retail; single tenant, 15,000 sf - 40,000 sf	DEFINE SIZE CAP - as two or more adjacent buildings owned by the same company GSF: The term "gross floor area" shall include indoor and outdoor space utilized for retail display and sale of goods. The gross floor area of adjacent stores shall be aggregated in cases where the stores (1) are engaged in the selling of similar or related goods, wares or merchandise and operate under common ownership or management; (2) share checkstands, a warehouse, or a distribution facility; or (3) otherwise operate as associated, integrated or co-operative business enterprises.



	<b>EXISTING</b>
	<b>Definitions / Notes</b>
Retail; single tenant, > 40,000 sf	
Retail; multi-tenant shopping center	SHOPPING CENTER — One or more buildings, situated on a minimum of two acres, containing retail stores; services; offices; eating, drinking or entertainment establishments; and accompanying on-site parking, loading and; vehicular and pedestrian circulation facilities, in accordance with a comprehensive design.
Retail; with drive-thru	
Retail; grocery food or beverage sales	General retail food store such as grocery, bakery, liquor store, coffee shop
Retail; on site manufacturing and sales of goods	Retail shop for custom crafting or manufacturing of goods to be sold on site, which is non-nuisance industry
Retail; landscaping or gardening with outdoor display	
Motor vehicle; service, repair or washing	General automotive services including oil, brake, muffler, tire replacement, engine or body work, washing, etc. (GARAGE,
Motor vehicle; fuel station	FILLING STATION — A building or lot or part thereof supplying or selling gasoline or other equivalent fuel for motor vehicles at retail direct from pumps and storage tanks. A filling station may, but only where specifically permitted in the Table of Use Regulations for Business and Industrial Districts, Editor's Note: The Table of Use Regulations for Business and Industrial Districts is included at the end of this chapter. include accessory facilities for rendering service for motor vehicles, such as lubrication, washing and minor repairs. A filling station may be self-service where customers pump their own fuels or may have an attendant that pumps fuels and it may house a convenience retail store of up to 1,000 square feet. A filling station shall not be deemed to include a liquefied petroleum filling station unless specifically so stated. With the exception of a full-service truckstop pursuant to § 235-15.4C(20), diesel fuel sales shall not exceed 15% of total fuel sales for any thirty-day period.
Motor vehicle; truck terminal with services	Full service truck stop which may include fuel service, repair, washing, restaurant or sleeping accommodations TRUCK TERMINAL — A facility where goods owned by others are being transported or transferred by truck and where trucks, owned by the terminal or affiliate, are leased, repaired, serviced, maintained and/or temporarily stored.
Motor vehicle; sales	Sales, rental or leasing of new or used cars, trucks, boats or other large motorized equipment such as tractors or construction vehicles
Motor vehicle; sales, small	Sales, rental or leasing of new or used small motorized vehicles including ATV's, snowmobiles, lawn equipment
Motor vehicle; sales, enclosed indoors	Sales, rental or leasing of new or used small or large motor vehicles which are not stored or displayed outdoors
Research, development or testing laboratory	RESEARCH INSTITUTE OR LABORATORY — A building for experimentation in pure or applied research, design, development and production of prototype machines or devices or of new products and uses accessory thereto. With respect to the application of this chapter, such research institute or laboratory shall meet the standards of a non-nuisance industry. LABORATORY, RESEARCH, EXPERIMENTAL AND TESTING — A building or buildings for experimentation in pure or applied scientific or engineering design, development of prototype machines or devices or of new products, and processing and fabricating incidental thereto and customary accessory uses necessary thereto, provided that materials or finished products shall not be manufactured, processed, fabricated or assembled on the premises primarily for wholesale or retail sale except as a pilot operation and conducted as a corollary to such experimentation and research, further provided that no commercial servicing or repair of commercial products be performed, and further provided that there be no display of any materials or products for sale other than models or samples directly related to such research or development.
<b>Food, Drink &amp; Entertainment</b>	
Restaurant; indoor, fully enclosed	RESTAURANT — Premises, however designated, at which food and beverages are sold for consumption largely on premises by patrons seated within a building or elsewhere on the premises. The term "restaurant" shall not include fast-food eating establishment.
Restaurant; with outdoor seating	
Restaurant; with drive-thru, drive up or curbside service	
Tavern or bar	A business enterprise primarily engaged in the retail sale of alcoholic beverages for consumption on premises.
Entertainment; theatre, auditorium or assembly	movie theatre, bingo hall, performance hall, convention
Entertainment; outdoor auditorium or assembly	
Entertainment; drive-in theatre	
Entertainment; adult	Any commercial activity which sells, rents, shows, exhibits, or makes available for sale, rent, showing or exhibition
<b>Lodging &amp; Recreation</b>	
Boarding; hotel, inn, rooming house or B&B	HOTEL — A building or part thereof which has a common entrance, common heating system, and general dining room, and which contains seven or more living and sleeping rooms designed to be occupied by individuals or groups of individuals for compensation. A hotel shall not provide apartment dwelling units. BED-AND-BREAKFAST ESTABLISHMENT — A dwelling having a resident on premises host in a private single-family or two family home in which at least three and not more than 10 rooms are provided for overnight accommodation, the rates for which include breakfast and lodging only, and in which no public restaurant is maintained and no other commercial services are offered.
Boarding; motel	MOTEL — A building or group of buildings used as individual sleeping or dwelling units and designed primarily for transient automobile travelers. The term "motel" includes buildings designed as tourist courts, motor lodges, auto courts and other similar appellations, but shall not be construed to include house trailers or mobile homes. A motel shall not provide dwelling units.
Boarding; kennel, private	KENNEL — An establishment for the keeping, breeding and raising of domesticated animals for profit or gain, but shall not apply to the keeping of animals in a veterinarian clinic for the purpose of observation and/or recovery necessary to veterinary treatment.
Recreation; commercial, not specified below	
Recreation; outdoor, public	Park, garden, public golf course, not including amusement parks
Recreation; outdoor, private club or golf course	CLUB, COUNTRY — A club for golfing, hunting, fishing, horseback riding or similar sports.
Recreation; indoor public	bowling alley, arcade

	EXISTING
Definitions / Notes	
Recreation, private fraternal or social club	CLUB, MEMBERSHIP, NONPROFIT — The premises and buildings used by a local chapter holding a valid charter from an international, national or state organization or by a bona fide local civic association catering exclusively to members and their guests primarily for a patriotic, fraternal, benevolent, educational, religious or political purpose. The club shall not be used in whole or in part for the conduct of any business or enterprise for profit, but this shall not be construed as preventing the utilization of a club for benefits or performances for a recognized charity or for the meeting of other organizations, or for educational and cultural purposes. CLUB, MEMBERSHIP — Premises of an organization of persons who meet periodically to promote some nonprofit social, educational, athletic, service or recreational objective and who cater exclusively to members and their guests, with no vending, merchandising or commercial activities conducted except as required generally for the membership and purposes of the club.
<b>Health &amp; Medical Services</b>	
Medical offices or clinic, outpatient	HOSPITAL — place for the diagnosis, treatment or other care of human ailments which does not include inpatient bed services, not inclusive of nursing homes or sanitariums.
Medical offices or hospital, inpatient	HOSPITAL — place for the diagnosis, treatment or other care of human ailments with inpatient bed services, not inclusive of nursing homes or sanitariums.
Nursing home or assisted living	SENIOR ASSISTED-CARE FACILITY — Individual dwelling units, or partial units, designed and constructed primarily for seniors and subject to management or legal restrictions that require all units and partial units to be occupied by persons 60 years of age or older providing long-term residence, centralized cooking and common dining, housekeeping and personal care and supervision as needed to five or more adults, unrelated to the operator, who may or may not require some limited, continuing medical care. To allow flexibility, not more than 10% of the units may be occupied by persons under 60 years of age. SENIOR HOUSING — A residential development owned by a public agency or private nonprofit sponsor in which dwelling units are exclusively provided for elderly persons, aged 62 or older, and other members of the households which they head.
Veterinary clinic or animal services with boarding	KENNEL — The maintenance or housing of more than four dogs six months of age or older on one lot.
Mortuary or funeral home	FUNERAL HOME — A building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.
Cemetery	CEMETERY — The land that is set apart or used as a place of interment of the dead or in which human bodies have been buried, and may include facilities for storing of ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments, but may not include a structure for the cremation of human remains. A cemetery may be a cemetery corporation operated by a private, not-for-profit or religious institution operating in compliance with applicable state laws.
Sanitarium	SANITARIUM — An institution for the recuperation and treatment of persons suffering from physical or mental disorders.
Crematorium	
<b>Arts &amp; Media</b>	
Printing or publishing, < 3000 sf	
Printing or publishing, > 3000 sf	
Television or radio station	
<b>Storage &amp; Utilities</b>	
Storage; outdoors, non-hazardous	Outdoor storage of feed, sand, gravel, equipment, building materials and similar non-hazardous items
Storage; indoors, non-hazardous	STORAGE — The holding or safekeeping of goods in a warehouse or other depository to await the happening of some future event or contingency which will call for the removal of the goods. WAREHOUSE — A facility containing goods manufactured, used, transferred, stored, transported or sold by the owner or lessor of the warehouse. A warehouse may be attached to or accessory to an office, industrial building or use or a commercial use or may be a separate or principal use of a property subject to the requirements of this chapter. Warehouse facilities shall not provide truck maintenance service or repair facilities unless they are also part of a truck terminal or truck stop.
Storage; self rental units	A structure or structures in which materials, goods or equipment are stored, including self-storage operations with separate storage units having individual external access, for storage of personal property. Self-storage operations with several separate structures shall all be considered together to form one primary structure for the purpose of site plan review by the Planning Board.
Storage; wholesale or distribution center < 3 truck bays	
Storage; wholesale or distribution center >= 3 truck bays	Need to limit where >3 truck bays can go
Storage; fuel	
Storage; Liquefied Petroleum Gas (LPG) filling station	FILLING STATION, LIQUEFIED PETROLEUM GAS (LPG) — A parcel of land upon which a building and/or storage tank for LPG is located and used to supply gas at retail to motor vehicles and portable gas storage tanks brought to the site. Such a filling station may provide accessory facilities and services for motor vehicles, equipment utilizing LPG and LPG tanks.
Utility; public service	structure or right of way necessary to serve areas within the montgomery community, excluding business office, repair or storage of equipment, wastewater treatment plants, water storage and related accessory improvements.
Utility; small above ground structure	Water or sewer pump stations, electric or telephone distribution boxes, switching or relay stations, transformers and similar enclosed utility structures
Utility; transmitting or communications tower	Television, radio, wireless or other transmitting towers
Utility; municipal works yard or structure	Municipal business office, equipment storage or repair, wastewater treatment plants, water storage or similar facility
<b>Transportation</b>	
Parking; off-street	PARKING AREA — A lot or part thereof used for the storage or parking of motor vehicles with or without the payment of rent or charges in money and/or other consideration.
Parking; off-street municipal	

	EXISTING
Definitions / Notes	
Parking; garage	GARAGE, PARKING — A building, not a private garage, used for the storage of automobiles or trucks, and not used for making repairs thereto. GARAGE, PRIVATE — An enclosed space, whether an accessory building or part of a principal building, for the storage of one or more vehicles, provided that no business, occupation or service, other than a home occupation authorized by special use permit, is conducted for profit therein nor space therein for more than one car is leased to a nonresident of the premises. GARAGE, PUBLIC — Any garage other than a private garage available to the public, operated for gain and which is used for storage, repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles.
Parking; garage municipal	
Public taxi or bus station	
Public train station	
Public bus passenger shelter	
Airport or airstrip	AIRPORT — The use of land or building or structure for facilitating the landing and handling of aircraft and their passengers and freight and without limiting the generality of the foregoing; accessory uses may include ticket offices, restaurants, bars, confections, luggage-checking facilities and parcel shipping facilities. AIRSTRIP, PRIVATE — Land used for the purpose of landing, storing, taxiing or taking-off of private aircraft.
Heliport	HELIPORT — A facility, with improvements for the taking off and landing of helicopters.
<b>Industry and Manufacturing</b>	
Industry; general	
Industry; general, non-nuisance	NON-NUISANCE INDUSTRY — Any industry which is not detrimental to the environment in which it is located by reason of the emission of smoke, noise, odor, dust, vibration or excessive light, beyond the limits of its lot, or by reason of generating excessive traffic with attendant hazards and which does not include any outdoor processing of materials, or open accessory storage yard unless completely enclosed by a solid wall or fence not less than six feet in height.
Industry; general, limited non-nuisance	NON-NUISANCE INDUSTRY, LIMITED — Is that non-nuisance industry which: employs four or fewer employees, is expected by the Planning Board to generate little or no heavy truck traffic, contains no outdoor storage yards, and is situated in a building or portion of a building of not more than 2,500 square feet in floor area.
Industry; slaughterhouse*	
Industry; food processing or preparation	
Manufacturing; clothing or accessories	
Recycling; salvage yard	JUNKYARD (rename salvage yard)— Any land or structure or part thereof exceeding 300 square feet in area, used for
Recycling; transfer facility, enclosed	TRANSFER STATION — A solid waste management facility, other than a recyclable handling and recovery facility, used oil facility, or a construction and demolition debris processing facility, where solid waste is received for the purpose of subsequent transfer to another solid waste management facility for further processing, treating, transfer or disposal. Transfer of solid waste from vehicle to vehicle for the purpose of consolidating loads, as part of the initial collection process, is not considered a transfer station, provided the transfer activity occurs along the collection route where the point of transfer changes from day to day. Transfer of leakproof, closed modular containers of solid waste from vehicle to vehicle, including truck to train, for the purpose of consolidating loads for shipment to an authorized disposal or treatment facility, is not considered a transfer station, provided the contents of each container remain in their closed container during the transfer between vehicles; storage remains incidental to transport at the location where the containers are consolidated; containers are maintained in a safe, nuisance-free (e.g., dust, odor, noise, etc.) manner; and the transfer location is under the ownership
Recycling; waste tire storage and processing	
Recycling; composting facility*	COMPOSTING FACILITY — A facility which produces compost from the organic fraction of leaves, wood chips, grass clippings, pine needles, plants, stumps, tree trunks, yard waste, branches, brush, food and manure. This definition specifically excludes inorganic material and animal products and by-products, sewer waste, solid waste (other than those above) or sludge. Said facility must conform to the requirements of Part 360, at a minimum. [Note: only permitted south of 84]
Recycling; wood chipping facility*	WOOD-CHIPPING FACILITY — A facility which produces wood chips or mulch from chipping and/or grinding of the raw material for the express purpose of producing wood by-products for use as landscaping material or for other uses. This definition does not include the production of compost caused by the organic decay of the wood materials processed at this facility as such operations are defined as a "composting facility" under these regulations. [Note: only permitted south of 84]
Earth extraction; temporary mining or removal operations	MINING — Temporary use limited by a permitted time of a parcel of land or contiguous parcels of land, or portions thereof, and all haulageways and all equipment above, on or below the surface of the ground for the purpose of excavating and producing minerals or water for sale or exchange or for commercial, industrial or municipal use, not including the process of preparing land for the construction of a structure for which a building permit has been issued.
Earth extraction; quarrying or mining, hauling	MINING — Use of a parcel of land or contiguous parcels of land, or portions thereof, and all haulageways and all equipment above, on or below the surface of the ground for the purpose of excavating and producing minerals or water for sale or exchange or for commercial, industrial or municipal use, not including the process of preparing land for the construction of a structure for which a building permit has been issued.

