

ZONING

138 Attachment 4

Table of Uses, Area, Frontage, and Setback Requirements Burnt Hills Commercial District

[Amended 5-14-2024 by L.L. No. 3-2024; 11-12-2025 by L.L.
No. 4-2025]

	Uses	Permitted Use	Special Use Permit ¹	Site Plan Review ¹	Modified Site Plan ¹
Residential	Accessory apartments in principal dwelling	✓			
	Community residence	✓			
	EV station, private	✓			
	Home occupation, major		✓	✓	
	Home occupation, minor	✓			
	Townhouse		✓	✓	
	Multiple dwellings in Senior Housing Districts only per Article XIII ²				
	One-family dwelling	✓			
	Public park or trail system	✓			
	Solar panels for residential use		✓	✓	
	Two-family dwelling	✓			
Agricultural	Agriculture and farm operation with custody of animals outside NYS Agricultural District		✓	✓	
	Agriculture and farm operation with custody of animals within NYS Agricultural District				✓
	Agriculture and farm operations without custody of animals	✓			
	Farm market			✓	

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	Uses	Permitted Use	Special Use Permit ¹	Site Plan Review ¹	Modified Site Plan ¹
Business and Commercial	Art gallery			✓	
	Automobile sales		✓	✓	
	Automobile service		✓	✓	
	Bakery			✓	
	Banks			✓	
	Bed-and-breakfast			✓	
	Beverage recycling center		✓	✓	
	Cannabis dispensary		✓	✓	
	Clubs/lodges			✓	
	Community service/place of worship		✓	✓	
	Convenience stores with/without gas sales		✓	✓	
	Day-care facilities, commercial		✓	✓	
	Day-care facilities, in-home			✓	
	Drive-in establishments or services			✓	
	Drug store			✓	
	Education facilities			✓	
	EV station only as a secondary use to a permitted or specially permitted use			✓	
	Funeral home			✓	
	Greenhouse or plant nursery, commercial			✓	
	Health-care facilities			✓	
	Hospital			✓	
	Indoor recreation			✓	
	Laundromat			✓	
	Library			✓	
	Light industrial			✓	
	Millwork/cabinet making			✓	
	Mixed-use structures			✓	
	Motel/hotel			✓	
	Municipal buildings	✓			
	Museum			✓	
	Nursing home			✓	
	Office building			✓	

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	Uses	Permitted Use	Special Use Permit ¹	Site Plan Review ¹	Modified Site Plan ¹
	Outdoor recreation			✓	
	Personal service			✓	
	Physical health establishment			✓	
	Printing/publishing/photography/software			✓	
	Public utility			✓	
	Research and development (flex-tech)			✓	
	Restaurant and drinking establishment			✓	
	Retail sales			✓	
	School, private			✓	
	Self-storage			✓	
	Service business			✓	
	Solar panels for individual business use, ground-mounted			✓	
	Solar panels for individual business use, roof-mounted	✓			
	Training and instructional classrooms			✓	
	Veterinary clinic without boarding			✓	

Notes:

¹ Reviewed and approved by the Planning Board

² With Route 50 or Route 67 frontage

Note: Any uses not listed on this table are prohibited.

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Bulk Requirements	
Lot area (min):	1 acre
Lot width (min):	175 feet
Lot coverage (max %):	30%
Front yard setback (min):	20 feet, with 70feet max*
Side yard setback (min):	5 feet
Rear yard setback (min):	15 feet
Building height (max):	40 feet
Total commercial building footprint per lot (max):	15,000 square feet
Notes: Footings to be one foot above seasonal high groundwater mark. Accessory structures <200 square feet shall have six feet rear and side yard setback. Net acreage calculation not required. Average lot size not allowed. Density and square footage bonus not allowed. *For properties not fronting Route 50, setbacks of new buildings shall be proximal to adjoining structures. Variations within the confines of established setback standards are subject to Planning Board approval. See § 138-17, Design Standards for All Mixed-Use Center Districts	