

ZONING

167 Attachment 2

Town of Malta

Area, Frontage, Bulk, Height, and Setback Requirements For Commercial Zoning Districts

[Amended 10-5-2009 by L.L. No. 9-2009; 2-1-2016 by L.L. No. 1-2016; 10-3-2016 by L.L. No. 8-2016; 7-2-2018 by L.L. No. 9-2018]

District	Permitted Principal Use	Special Permit Required For	Minimum Lot Size (square feet)	Maximum Percentage of Lot Coverage (includes parking)	Minimum Frontage (feet)	Maximum Building Height (feet)	Minimum Yard Dimensions			Minimum Floor Area (square feet)	Maximum Floor Area (square feet)
							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)		
C-2	One-family dwelling		40,000	N/A	200	30	50	15	30		
	Two-family dwelling		40,000	N/A	200	30	50	15	30		
	Antique shop		40,000	50	200	30	50	20	40		
	Automotive repair		40,000	50	200	30	50	20	40		
	Auto sales and service		80,000	50	200	30	50	30	40		
	Bed and breakfast, commercial		40,000	50	200	30	50	20	40		
	Boat and RV storage		80,000	50	200	30	50	20	40		
	Brew pub		80,000	50	200	30	50	20	40		30,000
	Business office		40,000	50	200	40	50	20	40		
	Commercial kitchen		40,000	50	200	30	50	20	40		
	Day-care center		40,000	50	200	30	50	20	40		
	Fitness center		40,000	50	200	30	50	20	40		
	Funeral home		40,000	50	200	30	50	20	40		
	Gallery		40,000	50	200	30	50	20	40		
	Grocery store		80,000	50	200	30	50	20	40	10,000	40,000
	Household furnishings		40,000	50	200	30	50	20	40	10,000	35,000
	Library		40,000	50	200	40	50	20	40		
	Media production		40,000	50	200	40	50	20	40		
	Municipal building		40,000	50	200	40	50	20	40		
	Museum		40,000	50	200	40	50	20	40		
	Nursing or convalescent home/assisted living		80,000	50	200	40	50	20	40		
	Pet grooming		40,000	50	200	30	50	20	40		
	Printing and shipping		40,000	50	200	30	50	20	40		15,000
Professional office		40,000	50	200	40	50	20	40			
Religious worship		160,000	50	200	40	50	20	40			
School/college/educational facility		80,000	50	200	40	50	20	40			

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District	Permitted Principal Use	Special Permit Required For	Minimum Lot Size (square feet)	Maximum Percentage of Lot Coverage (includes parking)	Minimum Frontage (feet)	Maximum Building Height (feet)	Minimum Yard Dimensions			Minimum Floor Area (square feet)	Maximum Floor Area (square feet)	
							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)			
C-2	Theater		40,000	50	200	30	50	20	40			
		Amusement facility	80,000	50	200	30	50	30	50		40,000	
		Animal hospital	40,000	50	200	30	50	20	40			
		Building materials sales	40,000	50	200	30	50	20	40	10,000	80,000	
		Car wash	40,000	50	200	30	50	20	40			
		Contractor's yard	40,000	50	200	30	50	30	50		10,000	
		Garden center/nursery	80,000	50	200	30	50	20	40		30,000	
		Golf driving range	80,000	N/A	200	30	50	40	40			
		Laboratory	80,000	50	300	40	50	20	40			
		Light industry	40,000	50	200	30	50	20	40			
		Medical center	80,000	50	300	40	50	20	40			
		Microbrewery	80,000	50	200	30	50	20	40			
		Microdistillery	80,000	50	200	30	50	20	40			
		Mixed use/most restrictive*	*Multitenant building max. of 3 first-floor units, second story habitable space required.									
		Pet daycare	80,000	50	200	30	50	30	50			
		Recreation facility	80,000	50	200	30	50	20	40		35,000	
		Restaurant (no drive-through)	40,000	50	200	30	50	20	40		20,000	
		Retail, mid-size	80,000	50	300	30	50	30	50	10,000	35,000	
	Self-service storage facility	80,000	50	200	30	50	20	40				
	Technology/research office	80,000	50	200	40	50	20	40				
	Wholesale business	80,000	50	200	30	50	20	40		40,000		
Route 67 West Overlay*	Medical center		80,000	60	300	50	50	20	40			
	Multifamily		80,000	60	200	40	500	20	40			
	Personal service shop		40,000	60	200	30	50	20	40			
	Recreation facility		80,000	60	200	30	50	20	40		35,000	
	Restaurant (no drive-through)		40,000	60	200	30	50	20	40		20,000	
	Retail, mid-size		80,000	60	300	30	50	30	50	10,000	35,000	
	Technology/research office		80,000	60	200	40	50	20	40			
	Wholesale business		80,000	60	200	30	50	20	40		40,000	

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							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)			
Route 67 West Overlay*		Aquatic center	200,000	50	300	60	50	30	50	10,000	65,000	
		Club/lodge	80,000	60	200	50	50	20	40			
		Convenience store, with or without gas	40,000	60	200	25	50	40	40			
		Drive-through accessory use	Most Restrictive Relative To Permitted Principal Use									
		Gasoline service	40,000	60	200	30	50	20	40			
		Hotel	80,000	60	200	40	40	20	40	15,000		
		*Uses exceeding max. building height	20,000	N/A	5 Stories	75	50	40	40			
		Prohibited Principal Use										
		One-family dwelling										
	Two-family dwelling											
* Where any conflict between C-2 zoning and the Route 67 West Overlay exist above, the Route 67 West Overlay criteria shall apply												
C-3 NYSERDA		Light industry	N/A		200	80	50	15	30			
		Professional office	40,000	50	200	80	50	20	40			
		Adult entertainment	40,000		200	80	50	15	30			
		Research and development	80,000		200	80	50	15	30			
		School/college/educational facility	80,000	50	200	80	50	20	40			
		Municipal building	40,000	50	200	80	50	15	30			
		Museum	40,000	50	200	80	50	15	30			
		Mixed-use/most restrictive										
		Conference center	80,000	50	200	80	50	15	30			
		Library	40,000	50	200	80	50	15	30			
	Fitness center	40,000	50	200	50	50	20	40				
C-5 Exit 11 Hamlet Commercial		One-family dwelling	15,000	N/A	200	30	50	15	30			
		Municipal building	20,000	50	200	30	50	15	30			
		Residential home business	15,000	N/A	200	30	50	15	30			
		Convenience store no gas	20,000	40	200	30	50	40	40			
		Personal service shop	20,000	50	200	25	50	20	40			

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							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)		
C-5 Exit 11 Hamlet Commercial		Professional office	20,000	50	200	25	50	20	40		
		Restaurant (no drive-through)	20,000	50	200	25	50	20	40		
		Two-family dwelling	20,000	N/A	250	30	50	15	30		
		Church/rectory	160,000	40	200	50	50	20	40		
		Mixed-use/use most restrictive									
		Day-care center	20,000	30	200	30	50	20	40		
		School/college/ educational facility	80,000	50	200	30	50	20	40		
		Business office	20,000	30	200	30	50	20	40		
		Fitness center	40,000	50	200	50	50	20	40		
		Recreation facility	40,000	50	200	50	50	20	20		
C-7 Highway Commercial (Commercial use goes 500 feet back from Route 9)		Bank	40,000	40	200	30	50	20	40		
		Agriculture, excluding poultry, livestock and fowl	120,000	N/A	300	35	50	50	50		
		Antique shop	40,000	50	200	30	50	20	40		
		Automotive repair	40,000	50	200	30	50	20	40		
		Auto sales and service	80,000	50	200	30	50	30	40		
		Bank, with drive-through	40,000	50	200	30	50	20	40		
		Bed and breakfast, commercial	40,000	50	200	30	50	20	40		
		Brew pub	80,000	50	200	30	50	20	40		30,000
		Business office	40,000	50	200	40	50	20	40		
		Commercial educational facility	80,000	50	200	40	50	20	40		
		Commercial kitchen	40,000	50	200	30	50	20	40		
		Convenience store, no gas	40,000	50	200	30	50	20	40		
		Day-care center, adult	40,000	50	200	30	50	20	40		
		Day-care center, child	40,000	50	200	30	50	20	40		
		Drive-in theatre	400,000	50	400	40	50	75	75		

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							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)			
C-7 Highway Commercial (Commercial use goes 500 feet back from Route 9)	Drug store, with drive-through		40,000	50	200	30	50	20	40			
	Fitness center		40,000	50	200	30	50	20	40			
	Funeral home		40,000	50	200	30	50	20	40			
	Gallery		40,000	50	200	30	50	20	40			
	Grocery store		80,000	50	200	30	50	20	40	10,000	80,000	
	Indoor recreation		80,000	50	200	30	50	20	40			
	Household furnishings		40,000	50	200	30	50	20	40	10,000	35,000	
	Laboratory		40,000	50	200	30	50	20	40			
	Library		40,000	50	200	40	50	20	40			
	Media production		40,000	50	200	40	50	20	40			
	Medical center		80,000	50	200	30	50	20	40			
	Municipal building		40,000	50	200	40	50	20	40			
	Museum		40,000	50	200	40	50	20	40			
	Nursery school		40,000	50	200	40	50	20	40			
	Nursing or convalescent home/assisted living		80,000	50	200	40	50	20	40			
	One-family dwelling		40,000	N/A	200	30	50	15	30			
	Two-family dwelling		40,000	N/A	200	30	50	15	30			
	Personal service shop		40,000	50	200	30	50	15	30	3,000		
	Pet grooming		40,000	50	200	30	50	20	40			
	Printing and shipping		40,000	50	200	30	50	20	40		15,000	
	Professional office		40,000	50	200	40	50	20	40			
	Religious worship		160,000	50	200	40	50	20	40		20,000	
	Research and development		40,000	50	200	40	50	20	40			
	Restaurant (no drive-through)		40,000	50	200	30	50	20	40			
	Retail business		40,000	50	200	40	50	20	40			
	Commercial educational facility		80,000	50	200	40	50	20	40			
	Technology/research office		40,000	50	200	40	50	20	40			
	Theater		40,000	50	200	30	50	20	40			
		Amusement facility		80,000	50	200	30	50	30	50		40,000
		Animal hospital		40,000	50	200	30	50	20	40		
	Building materials sales		40,000	50	200	30	50	20	40	10,000	80,000	
	Car wash		40,000	50	200	30	50	20	40			

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							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)			
C-7 Highway Commercial (Commercial use goes 500 feet back from Route 9)		Conference center	40,000	50	200	30	50	20	40			
		Contractor's yard	40,000	50	200	30	50	30	50		10,000	
		Club/lodge	40,000	50	200	30	50	30	50			
		Drive-through service establishment	40,000	50	200	30	40	20	40			
		Equid (horses, donkeys)	120,000	25	200	30	50	50	50			
		Farm alcohol production	120,000	N/A	300	30	50	50	50			
		Garden center/nursery	80,000	50	200	30	50	20	40		30,000	
		Gasoline service	40,000	50	200	30	50	20	40			
		Golf driving range	80,000	N/A	200	30	50	40	40			
		Light industry	40,000	50	200	30	50	20	40			
		Machine shop	40,000	50	200	30	50	20	40	3,000		
		Microbrewery	80,000	50	200	30	50	20	40			
		Microdistillery	80,000	50	200	30	50	20	40			
		Mixed-use/most restrictive*	*Multitenant building max. of 3 first-floor units, second story habitable space required.									
		Pet daycare	80,000	50	200	30	50	30	50			
		Recreation facility	80,000	50	200	30	50	20	40		35,000	
	Retail, mid-size	80,000	50	300	30	50	30	50	10,000	35,000		
	Shopping center, multitenant	80,000	50	200	30	50	20	40		30,000		
	Wholesale business	80,000	50	200	30	50	20	40		40,000		
C-8 Highway Commercial (Commercial use goes 500 feet back from Route 9)		Antique shop	40,000	N/A	200	30	50	15	30			
		Auto sales and service	40,000	N/A	200	30	50	15	30			
		Automotive repair	40,000	50	200	30	50	20	40			
		Bed and breakfast, commercial	40,000	50	200	30	50	20	40			
		Brew pub	40,000	50	200	30	50	20	40		25,000	
		Business office	40,000	50	200	30	50	20	40			
	Commercial kitchen	80,000	50	200	30	50	20	40				

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							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)		
C-8 Highway Commercial (Commercial use goes 500 feet back from Route 9)	Convenience store, no gas		80,000	50	200	30	50	20	40		
	Convenience store with gas		80,000	50	200	30	50	20	40		
	Day-care center, adult		40,000	50	200	40	50	20	40		
	Day-care center, child		40,000	50	200	40	50	20	40		
	Drug store, with drive-through		40,000	50	200	30	50	20	40		
	Fitness center		40,000	50	200	30	50	20	40		
	Funeral home		40,000	50	200	30	50	20	40		
	Gallery		40,000	50	200	30	50	20	40		
	Gasoline service		40,000	50	200	30	50	20	40		
	Grocery store		80,000	50	200	30	50	20	40	5,000	40,000
	Hotel		40,000	50	200	30	50	20	40	5,000	35,000
	Household furnishings		40,000	50	200	40	50	20	40		
	Indoor recreation		40,000	50	200	40	50	20	40		
	Library		80,000	50	200	30	50	20	40		
	Media production		40,000	50	200	40	50	20	40		
	Municipal building		80,000	50	200	40	50	20	40		
	Museum		40,000	50	200	30	50	20	40		
	Nursing or convalescent home/assisted living		40,000	50	200	30	50	20	40		15,000
	One-family dwelling		40,000	N/A	200	30	50	15	30		
	Two-family dwelling		40,000	N/A	200	30	50	15	30		
	Park, playground		40,000	50	200	40	50	20	40		
	Personal service shop		160,000	50	200	40	50	20	40		
	Pet daycare/boarding		80,000	50	200	40	50	20	40		
	Pet grooming		80,000	50	200	40	50	20	40		
	Pharmacy		80,000	50	200	30	50	30	50		20,000
	Printing and shipping		40,000	50	200	30	50	20	40		
	Professional office		40,000	50	200	30	50	20	40	10,000	40,000
	Religious worship		40,000	50	200	30	50	20	40		
	Research and development		80,000	50	200	30	40	20	40		
	Restaurant (with drive-through)		40,000	50	200	30	50	30	50		10,000
Restaurant (without drive-through)		40,000	50	200	30	50	30	50			
Shopping center, multitenant		80,000	50	200	30	50	20	40		30,000	

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							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)		
C-8 Highway Commercial (Commercial use goes 500 feet back from Route 9)	School, commercial		80,000	N/A	200	30	50	40	40		
	Theater		80,000	50	300	40	50	20	40		
		Amusement facility	40,000	50	200	30	50	20	40		
		Animal hospital	80,000	50	300	40	50	20	40		
		Building materials sales	80,000	50	200	30	50	20	40		
		Car wash	80,000	50	200	30	50	20	40		
		Drive-through service establishment (not otherwise permitted)	80,000	50	200	30	50	20	40		
		Garden center/nursery	80,000	50	200	30	50	30	50		
		Golf driving range	80,000	50	200	30	50	20	40		35,000
		Laboratory	40,000	50	200	30	50	20	40		5,000
		Light industry	40,000	50	200	30	50	20	40		20,000
		Medical center	80,000	50	300	30	50	30	50	10,000	35,000
		Microbrewery	80,000	50	200	40	50	20	40		
		Microdistillery	80,000	50	200	30	50	20	40		
		Mixed-use, most restrictive	40,000	50	200	30	50	20	40		
		Recreation facility	40,000	50	200	30	50	20	40		
		Retail, large size	40,000	50	200	30	50	20	40		60,000
		Retail, mid-size	40,000	50	200	30	50	20	40		30,000
		Shopping center, multitenant	80,000	50	200	30	50	20	40		80,000
		Supermarket	200,000	50	200	30	50	20	40		75,000
	Technology/research office	40,000	50	200	30	50	20	40			
	Warehouse, with greater or equal retail	80,000	50	200	30	50	20	40		40,000	
	Wholesale business	40,000	50	200	30	50	20	40			
C-9 Gateway	Antique shop		40,000	50	200	30	40	20	40		
	Bank		40,000	50	200	30	40	20	40		3,000
	Bed and breakfast, commercial		40,000	50	200	30	40	20	40		
	Business office		40,000	50	200	30	40	20	40		3,000

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							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)			
C-9 Gateway	Commercial kitchen		40,000	50	200	30	40	20	40			
	Convenience store, no gas		40,000	50	200	30	40	20	40		5,000	
	Day-care center, child or adult		40,000	50	200	30	50	20	40			
	Fitness center		40,000	50	200	30	40	20	40		3,000	
	Funeral home		40,000	50	200	30	40	20	40			
	Gallery		40,000	50	200	30	40	20	40			
	Grocery store		40,000	50	200	30	40	20	40		20,000	
	Household furnishings		40,000	50	200	30	40	20	40		20,000	
	Library		40,000	50	200	30	40	20	40			
	Media production		40,000	50	200	30	40	20	40			
	Municipal building		40,000	50	200	30	40	20	40			
	Museum		40,000	50	200	30	40	20	40			
	One-family dwelling		40,000	N/A	200	30	50	15	30			
	Two-family dwelling		40,000	N/A	200	30	50	15	30			
	Personal service shop		40,000	50	200	30	40	20	40		3,000	
	Pet grooming		40,000	50	200	30	40	20	40		3,000	
	Pharmacy		40,000	50	200	30	40	20	40		15,000	
	Printing and shipping		40,000	50	200	30	50	20	40		15,000	
	Professional office		40,000	50	200	30	40	20	40		3,000	
	Religious worship		160,000	50	200	40	40	20	40			
	Retail, agriculture		40,000	50	200	40	40	20	40			
	Retail, recreation		80,000	50	200	30	40	20	40		30,000	
	Retail, mid-size		40,000	50	200	30	50	20	40		30,000	
	School/college/educational facility		40,000	50	200	40	40	20	40			
	School, commercial		80,000	50	200	40	50	20	40			
		Animal hospital		40,000	50	200	30	40	20	40		
		Brew pub		40,000	50	200	30	40	20	40		5,000
		Conference center		80,000	50	200	40	40	20	40		15,000
	Multifamily dwelling/senior (not to exceed 15 units per nonconstrained acre)		40,000	50	200	40	The greater of 50, or 500 from Route 9	50	50			
	Gasoline service		40,000	50	200	30	40	30	40		3,000	
	Hotel		80,000	50	200	40	40	20	40		15,000	

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							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)		
C-9 Gateway		Laboratory	80,000	50	300	30	40	20	40		
		Medical center	80,000	50	300	40	40	20	40		
		Microbrewery	40,000	50	200	30	40	20	40		5,000
		Microdistillery	40,000	50	200	30	40	20	40		5,000
		Mixed-use/most restrictive*	*Multitenant building, second story habitable space required								15,000
		Nursing or convalescent home/assisted living	80,000	50	200	30	40	20	40		
		Recreation facility	80,000	50	200	30	40	20	40		30,000
		Restaurant (no drive-through)	40,000	50	200	30	40	20	40		10,000
	Technology/research office	80,000	50	200	30	40	20	40			
C-10		One-family dwelling	40,000	N/A	200	30	50	15	30		
		Agriculture, excluding poultry, livestock and fowl	120,000	N/A	300	35	50	50	50		
		Antique shop	80,000	50	200	30	50	20	40		3,000
		Automotive repair	40,000	50	200	30	50	20	40		3,000
		Bed and breakfast, residential	40,000	40	200	30	50	15	30		
		Brew pub	80,000	50	200	30	50	20	40		5,000
		Business office	40,000	40	200	30	50	15	30		3,000
		Day-care center	40,000	40	200	30	50	15	30		3,000
		Fitness center	40,000	50	200	30	50	20	40		3,000
		Funeral home	40,000	50	200	30	50	20	40		4,000
		Gallery	40,000	50	200	30	50	15	30		3,000
		Grocery	40,000	50	200	30	50	20	40		4,000
		Library/museum	40,000	50	200	30	50	20	40		
		Personal service shop	40,000	50	200	30	50	15	30		3,000
		Pet grooming	40,000	50	200	30	50	20	40		3,000
		Professional office	40,000	40	200	30	50	15	30		3,000
		Religious worship	160,000	50	300	30	50	30	60		
		Two-family dwelling	40,000	N/A	200	30	50	15	30		
	Bed and breakfast, commercial	40,000	50	200	30	50	25	40			
	Equid (horses, donkeys)	120,000	25	200	30	50	50	50			

ZONING

District	Permitted Principal Use	Special Permit Required For	Minimum Lot Size (square feet)	Maximum Percentage of Lot Coverage (includes parking)	Minimum Frontage (feet)	Maximum Building Height (feet)	Minimum Yard Dimensions			Minimum Floor Area (square feet)	Maximum Floor Area (square feet)
							Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)		
C-10		Farm alcohol production	120,000	N/A	300	30	50	50	50		
		Machine shop	40,000	50	200	30	50	20	40		3,000
		Microbrewery	80,000	50	200	30	50	25	40		5,000
		Microdistillery	80,000	50	200	30	50	25	40		5,000
		Mixed use/most restrictive	Multitenant building max. of 3 first-floor units, second story habitable space required.								
		Nursing or convalescent home/assisted living	80,000	50	200	30	50	20	40		4,000
		Restaurant (no drive-through)	40,000	50	200	30	50	20	40		4,000
	Temp mobile home	40,000	N/A	200	N/A	N/A	N/A	N/A	N/A		

1. With respect to construction within the C7, C8 and C9 zones, a suitable buffer area, as the Planning Board determines, shall be left between the closest lot line of any lot in an existing residential development area or a conventionally platted residential map that has been filed with the Saratoga County Clerk and any portion of the subject lot that interferes with vegetation. If the buffer area is less than 40 feet in width, it shall: (1) contain a vinyl or wood fence or masonry wall (unless such fence or wall is otherwise prohibited) six feet in height (or up to eight feet if otherwise permitted and required by the Planning Board) achieving 100% opacity; and, (2) unless the Planning Board determines that the burden on the lot development outweighs the interests of owners in the adjoining residential area, contain natural and/or planted vegetation achieving, within three years of planting, at least 75% opacity of the fence or wall, and at least 50% opacity (during all seasons) overall. The vegetation may include, as determined by the Planning Board, evergreen trees, canopy trees, understory trees, and evergreen shrubs. Applicants to whom this requirement applies shall submit a landscaping plan showing compliance herewith prepared by a licensed landscape architect, or by another professional approved by the Planning Board. Prior to the granting of a certificate of occupancy, the applicant must demonstrate that the landscaping has been completed, or the cost fully paid.