

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]

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 & Breakfast, Commercial		40,000	50	200	30	50	20	40		
	Boat & 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		
	Theater		40,000	50	200	30	50	20	40		

<b>C-2</b>		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*	*multi-tenant 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-thru)	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
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)		
<b>Route 67 West Overlay *</b>	Medical Center		80000	60	300	50	50	20	40		
	Multifamily		80,000	60	200	40	500	20	40		
	Personal Service Shop		40000	60	200	30	50	20	40		
	Recreation Facility		80000	60	200	30	50	20	40		35000
	Restaurant (no drive-thru)		40000	60	200	30	50	20	40		20000
	Retail, mid-size		80000	60	300	30	50	30	50	10000	35000
	Technology/Research Office		80000	60	200	40	50	20	40		
	Wholesale Business		80000	60	200	30	50	20	40		40000
	Aquatic Center		200000	50	300	60	50	30	50	10000	65000
	Club/Lodge		80000	60	200	50	50	20	40		
	Convenience Store, with or without gas		40000	60	200	25	50	40	40		

		Drive-thru Accessory Use	Most Restrictive Relative To Permitted Principal Use									
		Gasoline Service	40000	60	200	30	50	20	40			
		Hotel	80,000	60	200	40	40	20	40	15,000		
		*Uses exceeding max. building height	200,00	N/A	5 Stories	75	50	40	40			
Route 67 West Overlay *	<b>PROHIBITED Principal Use</b>											
	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												
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-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		
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-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		
		Professional office		20,000	50	200	25	50	20	40		

	Restaurant (no drive-thru)	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		
	Bank	40,000	40	200	30	50	20	40		

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)		
<b>C-7 Highway Commercial (Commercial use goes 500 feet back from Route 9)</b>	Agriculture, excluding poultry, livestock & 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 & 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		
	Drug Store, with drive-through		40,000	50	200	30	50	20	40		
Fitness Center		40,000	50	200	30	50	20	40			

**C-7 Highway Commercial  
(Commercial use goes 500 feet back from Route 9)**

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-thru)		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		
	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		

<b>C-7 Highway Commercial (Commercial use goes 500 feet back from Route 9)</b>	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*	*multi-tenant 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, multi tenant		80,000	50	200	30	50	20	40		30,000	
Wholesale Business		80,000	50	200	30	50	20	40		40,000	
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)		
<b>C-8 Highway Commercial (Commercial use goes 500 feet back from Route 9)</b>	Antique shop		40,000	N/A	200	30	50	15	30		
	Auto Sales & Service		40,000	N/A	200	30	50	15	30		
	Automotive Repair		40,000	50	200	30	50	20	40		
	Bed & 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		
	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			

**C-8 Highway Commercial (Commercial use goes 500 feet back from Route 9)**

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, multi-tenant		80,000	50	200	30	50	20	40		30,000
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

<b>C-8 Highway Commercial</b> (Commercial use goes 500 feet back from Route 9)	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
	Micro-Brewery		80,000	50	200	40	50	20	40		
	Micro-Distillery		80,000	50	200	30	50	20	40		
	Mixed use, most restrictive		40000	50	200	30	50	20	40		
	Recreation Facility		40000	50	200	30	50	20	40		
	Retail, large size		40000	50	200	30	50	20	40		60,000
	Retail, mid-size		40000	50	200	30	50	20	40		30,000
	Shopping Center, multi-tenant		80000	50	200	30	50	20	40		80,000
	Supermarket		200,000	50	200	30	50	20	40		75,000
	Technology/research office		40000	50	200	30	50	20	40		
	Warehouse, with greater or equal retail		80,000	50	200	30	50	20	40		40,000
	Wholesale Business		40000	50	200	30	50	20	40		
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)		
<b>C-9 Gateway</b>	Antique shop		40,000	50	200	30	40	20	40		
	Bank		40,000	50	200	30	40	20	40		3,000
	Bed & Breakfast, commercial		40,000	50	200	30	40	20	40		
	Business Office		40,000	50	200	30	40	20	40		3,000
	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		





**C-10**

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			
	Farm alcohol production	120,000	N/A	300	30	50	50	50			
	Machine shop	40,000	50	200	30	50	20	40		3,000	
	Micro-brewery	80,000	50	200	30	50	25	40		5,000	
	Micro-distillery	80,000	50	200	30	50	25	40		5,000	
	Mixed use/most restrictive			multi-tenant 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-thru)	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			

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. [Added 7-2-2018 by L.L. No. 9-2018]