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## ARTICLE II-A RESIDENTIAL DISTRICTS

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### § 30.20 DISTRICTS ESTABLISHED

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- A. The residential districts of the Village of Avon are established as listed in the table below. When this zoning law refers to residential or “R” zoning districts it is referring to the following:

TABLE 30.20

DISTRICT NAME	MAP SYMBOL
Village Residential	VR
Multi-Family Residential	MFR
Mixed Residential	MR

- B. The residential district names and map symbols are intended to provide a general indication of what is allowed in the district by denoting the intensity, scale, and/or type of uses permitted.

### § 30.21 DISTRICT PURPOSE STATEMENTS

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- A. **Village Residential (VR) District.** The purpose of the VR District is to support the vision and policies contained within the Village’s adopted Comprehensive Plan with respect to the preservation and enhancement of Avon’s existing traditional neighborhoods. The settlement pattern of the Village is generally comprised of single-family neighborhoods with lots sizes under an acre ranging from 40 to 90 feet in width. The intent of this District is to protect the residential character and pedestrian-friendly setting of Avon’s neighborhoods, while permitting the construction and/or reconstruction of homes compatible with the traditional settlement pattern. Future development and investment should reflect that of existing neighborhood character, generally consisting of low density detached dwellings, unobstructed front yards, garages setback from the primary residence, and pedestrian-scaled streetscapes (e.g. with sidewalks, street lighting, street trees, etc.).
- B. **Multi-Family Residential (MFR) District.** The purpose of the MFR District is to provide for higher density residential developments as outlined in the Village’s adopted Comprehensive Plan. A variety of housing options are permitted in this District with the intent to serve the changing needs of residents regardless of age, ability, or income.

While a higher density of development is allowed in the MFR District, new residential development should be consistent with the character and design of the Village's traditional neighborhoods. Developments should be well-connected to the community and create a sense of place, with four-sided architectural treatments on all structures, well-established internal and external pedestrian and vehicular connections, and designated areas of public open space for passive and active recreation. Development reviews should ensure that proper landscaping and screening is provided as a buffer to adjacent lower density residential uses, where applicable.

**C. Mixed Residential (MR) District.**

- 1. Purpose.** The purpose of the MR District is to allow for the development of mixed density residential neighborhoods within the Village of Avon in accordance with the recommendations of the Village Comprehensive Plan. Residential uses permitted in this District include single-, two-, and multi-family dwellings, provided no single unit type dominates the District. The intent of this District is to foster a variety of living opportunities for residents in a unique, attractive environment in close proximity to goods and services. The appropriateness of development proposals will be evaluated on the standards of this District and the following objectives.
- 2. Objectives.** The MR District is designed to ensure the development of land within the Village as a traditional residential neighborhood. Its design adopts the urban conventions which were common in the United States from colonial times until the 1940's. In order to ensure that the future design, layout, and character of the Village's Mixed Residential District is cohesive and consistent with the vision of the community, the following objectives shall be observed by all proposed development:
  - (a)** Establish neighborhoods with a variety of housing types and sizes that are oriented toward pedestrian activity;
  - (b)** Locate residential types and densities in a manner that provides a natural transition from existing single-family neighborhoods to higher density developments and commercial centers;
  - (c)** Foster the compatibility of residences and other improvements through their arrangement, bulk, form, character, and landscaping;
  - (d)** Establish a coordinated transportation network with a hierarchy of appropriately designed facilities for pedestrians, bicycles, and motor vehicles;
  - (e)** Develop on- and off-site connections to nearby amenities, roadways, sidewalks, and trails;
  - (f)** Design well-configured greens, landscaped streets, greenbelts, and parks that are woven into the pattern of the neighborhood and dedicated to the social interaction, recreation, and visual enjoyment of the residents;
  - (g)** Preserve and integrate existing natural features and undisturbed areas into the open space and design of the neighborhood; and
  - (h)** Create a cohesive and interconnected traditional neighborhood development pattern throughout the entirety of the District, regardless of the sequence of proposals or project phasing.

**§ 30.22**

**DISTRICT USE CLASSIFICATIONS**

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- A.** Uses shall be permitted as noted by the use class in each residential district table and shall be subject to the bulk and dimensional requirements contained therein.
- B.** Uses denoted with a "P" are permitted by-right.
- C.** Uses denoted with an "SP" are specially permitted and shall require the issuance of a special use permit.
- D.** Uses not explicitly listed in the table shall be prohibited.

**§ 30.23 VILLAGE RESIDENTIAL (VR) DISTRICT TABLE**

TABLE 30.23: VR DISTRICT	USE CLASS <sup>1</sup>	MIN LOT SIZE <sup>2</sup>	MIN LOT WIDTH <sup>2</sup>	MIN YARDS <sup>2</sup>			MAX LOT COVERAGE <sup>5</sup>	MAX BUILDING HEIGHT
				FRONT	SIDE <sup>3, 4</sup>	REAR		
<b>Residential Uses</b>								
Single-Family Dwelling	P	7,500 sf	50 ft	20 ft	10 ft	20 ft	30%	35 ft
Two-Family Dwelling	SP	8,000 sf	55 ft	20 ft	10 ft	20 ft	30%	35 ft
Nursing Home or Assisted Living Facility	SP	20,000 sf	70 ft	20 ft	15 ft	30 ft	30%	35 ft
*Bed and Breakfast	SP	20,000 sf	70 ft	20 ft	15 ft	30 ft	30%	35 ft
*Home Occupation	P	-	-	-	-	-	-	-
*Accessory Dwelling Unit	SP	-	-	-	-	-	-	-
*Accessory Use or Structure <sup>6</sup>	P	-	-	-	5 ft	10 ft	-	17 ft
<b>Other Uses</b>								
Cemetery	P	20,000 sf	70 ft	20 ft	15 ft	30 ft	20%	25 ft
Library or Museum	P	15,000 sf	60 ft	20 ft	15 ft	30 ft	35%	35 ft
Municipal Structure or Use	P	10,000 sf	60 ft	20 ft	15 ft	20 ft	35%	35 ft
Place of Worship	P	20,000 sf	70 ft	20 ft	15 ft	30 ft	35%	35 ft
Public Park or Playground	P	5,000 sf	50 ft	20 ft	15 ft	20 ft	20%	25 ft
*Public Utility	SP	5,000 sf	50 ft	20 ft	15 ft	25 ft	20%	25 ft
School, Public	P	20,000 sf	70 ft	20 ft	15 ft	30 ft	35%	35 ft
*Nonresidential Accessory Use or Structure <sup>6</sup>	P	-	-	-	10 ft	00 ft	-	17 ft

- NOTES:** (1) No regulation herein shall restrict the operation of an agricultural use located within a NYS Agriculture and Markets recognized Agricultural District.  
 (2) Or the most common measurement on the block as determined by the Code Enforcement Officer.  
 (3) Where abutting any other district, the most restrictive side yard requirement shall apply.  
 (4) New residential construction shall have a minimum side yard of 15 feet for the primary structure.  
 (5) Lot coverage shall be determined by the total square footage of all impervious surfaces and/or structures on the lot.  
 (6) Accessory uses and structures are not permitted in the front yard.  
 (\*) Additional requirements for this use may be found in Article VI, Section 30.68 (Regulations by Use).

**§ 30.24 MULTI-FAMILY RESIDENTIAL (MFR) DISTRICT TABLE**

TABLE 30.24: MFR DISTRICT	USE CLASS	MIN LOT SIZE <sup>1</sup>	MIN LOT WIDTH <sup>1</sup>	MIN YARDS <sup>1</sup>			MAX LOT COVERAGE <sup>4</sup>	MAX BUILDING HEIGHT
				FRONT	SIDE <sup>2, 3</sup>	REAR		
<b>Residential Uses</b>								
Single-Family Dwelling	P	7,500 sf	50 ft	20 ft	10 ft	20 ft	30%	35 ft
Two-Family Dwelling	P	8,000 sf	55 ft	20 ft	10 ft	20 ft	30%	35 ft
*Multi-Family Dwelling (up to 5 units)	P	20,000 sf	70 ft	20 ft	15 ft	25 ft	30%	35 ft
Multi-Family Dwelling (6 or more units) <sup>5</sup>	SP	30,000 sf	80 ft	20 ft	20 ft	30 ft	30%	35 ft
Nursing Home or Assisted Living Facility	SP	20,000 sf	70 ft	20 ft	15 ft	25 ft	30%	35 ft
*Bed and Breakfast	SP	20,000 sf	70 ft	20 ft	15 ft	25 ft	30%	35 ft
*Home Occupation	SP	-	-	-	-	-	-	-
*Accessory Dwelling Unit	SP	-	-	-	-	-	-	-
*Accessory Use or Structure <sup>6</sup>	P	-	-	-	10 ft	10 ft	-	17 ft
<b>Other Uses</b>								
Library or Museum	P	15,000 sf	65 ft	20 ft	15 ft	25 ft	35%	35 ft
Municipal Structure or Use	P	10,000 sf	70 ft	20 ft	15 ft	25 ft	35%	35 ft
Place of Worship	P	20,000 sf	75 ft	20 ft	15 ft	25 ft	35%	35 ft
Public Park or Playground	P	5,000 sf	50 ft	20 ft	15 ft	20 ft	20%	25 ft
*Public Utility	SP	5,000 sf	50 ft	20 ft	10 ft	20 ft	20%	35 ft
School, Public	P	20,000 sf	75 ft	20 ft	15 ft	25 ft	35%	35 ft
*Nonresidential Accessory Use or Structure <sup>6</sup>	P	-	-	-	10 ft	10 ft	-	17 ft

- NOTES:**
- (1) Or the most common measurement on the block as determined by the Code Enforcement Officer.
  - (2) Where abutting any other district, the most restrictive side yard requirement shall apply.
  - (3) New residential construction shall have a minimum side yard of 15 feet for the primary structure.
  - (4) Lot coverage shall be determined by the total square footage of all impervious surfaces and/or structures on the lot.
  - (5) Maximum density shall be 10 units per acre.
  - (6) Accessory uses and structures are not permitted in the front yard.
  - (\* ) Additional requirements for this use may be found in Article VI, Section 30.68 (Regulations by Use).

**§ 30.25 MIXED RESIDENTIAL (MR) DISTRICT TABLE**

TABLE 30.25: MR DISTRICT	USE CLASS	MIN LOT		MIN YARDS			MAX LOT COVERAGE	MAX BUILDING	
		SIZE	WIDTH	FRONT <sup>1</sup>	SIDE <sup>2</sup>	REAR <sup>2</sup>		HEIGHT	FOOTPRINT
<b>Residential Uses</b>									
Single-Family Dwelling	P	10,000 sf	55 ft	20/35 ft	15 ft	25 ft	30%	35 ft	-
Two-Family Dwelling	P	20,000 sf	65 ft	20/35 ft	15 ft	25 ft	30%	35 ft	-
*Multi-Family Dwelling <sup>3</sup>	P	20,000 sf	65 ft	20/35 ft	15 ft	25 ft	30%	35 ft	15,000 sf
Nursing Home or Assisted Living Facility	SP	1 Acre	80 ft	20/35 ft	20/30 ft	25/30 ft	30%	35 ft	20,000 sf
*Home Occupation	SP	-	-	-	-	-	-	-	-
*Accessory Dwelling Unit	SP	-	-	-	-	-	-	-	-
*Accessory Use or Structure <sup>4</sup>	P	-	-	-	5 ft	5 ft	-	17 ft	-
<b>Commercial Uses</b>									
Administrative Office	SP	20,000 sf	65 ft	20/35 ft	20/40 ft	25/40 ft	40%	35 ft	5,000 sf
*Day Care Facility, Adult or Child	SP	1 Acre	80 ft	20/35 ft	20/40 ft	25/40 ft	40%	35 ft	20,000 sf
Financial Institution	SP	20,000 sf	65 ft	20/35 ft	20/40 ft	25/40 ft	40%	35 ft	5,000 sf
Laundromat or Dry-Cleaner	SP	20,000 sf	65 ft	20/35 ft	20/40 ft	25/40 ft	40%	35 ft	5,000 sf
Professional or Medical Office	SP	20,000 sf	65 ft	20/35 ft	20/40 ft	25/40 ft	40%	35 ft	5,000 sf
<b>Other Uses</b>									
Mix of Permitted/Specially Permitted Uses	SP	See Uses for Requirements, Most Restrictive Shall Prevail							
Municipal Structure or Use	P	20,000 sf	65 ft	20/35 ft	20/40 ft	25/40 ft	30%	35 ft	
Public Park or Playground	P	20,000 sf	65 ft	20 ft	15 ft	15 ft	20%	25 ft	
*Public Utility	P	20,000 sf	65 ft	20/35 ft	20/40 ft	25/40 ft	30%	35 ft	
*Nonresidential Accessory Use or Structure <sup>4</sup>	SP	-	-	-	10 ft	10 ft	-	17 ft	

- NOTES:** (1) The first number indicates the minimum front yard requirement, the second number indicates the maximum.  
 (2) The second number represents the required yard space if the lot abuts a residential district or use.  
 (3) Maximum permitted density is six dwelling units per acre.  
 (4) Accessory uses and structures are not permitted in the front yard.  
 (\*) Additional requirements for this use may be found in Article VI, Section 30.68 (Regulations by Use).

**§ 30.26**

**MR DISTRICT USE & LOT CONSIDERATIONS**

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- A. Minimum District Area.** An MR District shall contain an area of not less than 10 contiguous acres. No land shall be designated for an MR District if it is too small, too narrow in width, too irregular in shape or with topography too excessive to be planned and developed in a manner consistent with the purpose and objectives of the MR District. The Planning Board may recommend the waiver of this minimum if the Board finds the proposed development to be in accord with the Village’s Comprehensive Plan and future development vision.
- B. MR District Application Procedure.** The existing application requirements, review procedures, and review criteria outlined in Article XIII (Planned Residential Development Districts) shall be used to apply for, review, and issue a decision on rezoning to an MR District.
- C. Site Plan Review Required.** All uses in the MR District shall be subject to site plan review as required by Article XII of this Chapter.
- D. Variation of Use.**

  - 1. The contiguous area of an MR District may not consist of a single land use. Each lot must be allocated to a particular land use.
  - 2. The development of single- and two-family dwellings may not exceed 50% of the gross acreage of an MR District
  - 3. The development of multi-family dwellings may not exceed 30% of the gross acreage of an MR District.
- E. Variation of Lot Size.** Residential developments should consist of a mix of lot sizes, including but not limited to the following:

  - 1. Small Lots – 10,000 to 20,000 square feet
  - 2. Medium Lots – 20,001 to 40,000 square feet
  - 3. Large Lots – More than 40,000 square feet
- F. Public and Open Space Requirements.**

  - 1. Public and/or common open space shall be provided at a rate of at least 30% of a development’s gross acreage. Designation and use of such public and/or common open space area(s) shall be based on consideration of the following factors:

    - (a) The need to protect for public use areas historically used by the public such as trails;
    - (b) The avoidance of siting of structures in hazardous areas, wetlands, floodplains, or on steep slopes;
    - (c) The protection of sensitive habitats and woodlots; and
    - (d) The desirability of protecting scenic areas of the site.

- 2. Lands to be preserved as open space may be dedicated in fee to the Village or other such public agency or may remain in private ownership. For public open space(s) that remain in private ownership, the Village may require granting of an easement guaranteeing the public's right of access and use.
  - 3. The Village may require the applicant or their designee to maintain all public open spaces and related facilities (and may require that bonding or other security be posted with the Village to guarantee maintenance) or may require payment of an in-lieu fee if the Village maintains the public open space and related facilities. If the applicant or their designee is to maintain public open spaces, prior to the issuance of any permits for construction, a bond or other approved security shall be posted guaranteeing such maintenance.
  - 4. Preservation and maintenance of all common open space and communal recreational facilities shall be guaranteed by a restrictive covenant describing the open space and its maintenance and improvements and running with the land as described in the approved site plan.
- G. Community Center.** Where required by the Planning Board, multi-family developments shall include a community center space of at least 3,000 square feet.

**§ 30.27**

**RESIDENTIAL DISTRICT PARKING STANDARDS**

- A. Off-street parking spaces for uses in all residential districts shall be provided in accordance with the table below:

**TABLE 30.27**

<b>LAND USE</b>	<b>MINIMUM PARKING REQUIREMENT</b>
<b>Single-Family Dwelling</b>	1 per unit
<b>Two-Family Dwelling</b>	1 per unit
<b>Multi-Family Dwelling</b>	1.5 per unit
<b>Nursing Home/Assisted Living</b>	0.5 per unit + 1 per employee at max shift
<b>Nonresidential Use</b>	1 per 350 square feet of floor area

- B. Off-street parking spaces shall not be located within 10 feet of a residential district.
- C. Off-street parking spaces shall not be provided in the front yard. Parking for single- and two-family dwellings is permitted on a designated driveway located in the front yard provided that the parking of such vehicle may be accommodated behind the front building line.
- D. Bicycle parking shall be provided with all multi-family and nonresidential development at 10% of the parking requirements outlined above, but in no case shall be less than two bicycle spaces.
- E. The maximum number of parking spaces allowable for any use is not to exceed 125% of the requirement of this Article.
- F. The Planning Board may recommend the waiver of parking requirements for any development or use to the Village Board, provided that the reduction of required spaces is justified and/or an alternative parking plan is identified.



**§ 30.28**

**RESIDENTIAL LANDSCAPING & SCREENING STANDARDS**

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- A. Nonresidential and Multi-Family Dwelling Buffers.** All nonresidential and multi-family development adjacent to a residential district or existing single-family use shall provide a landscaped buffer of at least 10 feet in width. Such buffer shall include coniferous trees, shrubs, fencing, or other such screening materials provided to the satisfaction of the Planning Board.
- B. Dumpsters.** All dumpsters shall be screened from public view using a combination of solid fencing and landscaping elements, provided to the satisfaction of the Planning Board.
- C. Street Trees.** Trees shall be planted along the street frontage at a minimum of one tree per 40 feet of linear frontage. The use of salt tolerant species along roadway edges and drought tolerant species (xeriscaping) in areas without access to water is required.
- D. Parking Lot Landscaping.** The interior of all parking lots containing 10 or more spaces shall be landscaped in accordance with the following:

  - 1. Primary landscaping materials used in parking lots shall be trees, which provide shade or are capable of providing shade at maturity. Shrubbery, hedges and other planting materials may be used to complement the tree landscaping but shall not be the sole means of landscaping.
  - 2. One shade tree shall be planted for every five parking spaces.
  - 3. A landscaped island at least eight feet by five feet shall be required for every five spaces.
  - 4. When adjacent to a residential district or use, a landscaped buffer shall be required to the satisfaction of the Planning Board.
  - 5. All landscaped areas shall be protected by curbing.
  - 6. An area for snow storage shall be provided for to the satisfaction of the Planning Board.
- E. Existing Natural Features and Wetlands.**

  - 1. Existing mature specimen trees, historic landscape features, mature groves of trees, streams, wetlands, and prominent topography shall be conserved and incorporated into the development design to the greatest extent practicable.
  - 2. An undisturbed buffer shall be maintained around the perimeter of identified wetland areas to visually screen adjacent uses; to protect associated animal habitat and plant life; and to ensure a healthy wetland ecosystem is maintained.
  - 3. Site planning for wetlands and adjacent areas shall be consistent with state and federal guidelines and recommended best practices.
- F. Landscaping Maintenance.** The following shall apply to landscaping, screening, and buffering elements for nonresidential and multi-family development only:

1. The owner of the property, or his designated agent, shall be responsible for the proper care and maintenance and replacement, if necessary, of all landscape materials in a healthy and growing condition.
2. Maintenance shall include, but not be limited to; watering, weeding, mowing (including trimming at the base of fencing), fertilizing, mulching, proper pruning, and removal and re-placement of dead or diseased trees and shrubs on a regular basis.
3. Improper maintenance shall be determined through periodic inspection by the Code Enforcement Officer. The Code Enforcement Officer may require a review and status report of plantings by a professional landscaper, arborist, or engineer. All reasonable costs for review and determination shall be at the expense of the property owner.

**§ 30.29**

**RESIDENTIAL DISTRICT BUILDING & SITE DESIGN STANDARDS**

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- A. **Single- and Two-Family Dwellings.** The following standards shall apply to the MFR and MR Districts only.
  1. There may be not less than two and not more than six units in a row of townhomes or attached single-family group.
  2. Buildings shall be oriented with the primary façade and entrance facing the street and shall provide direct connection to the Village's public sidewalk system.
  3. Newly developed homes should employ the use of four-sided architectural treatments to ensure a high-quality of design on all facades.
  4. Garage entrance/exit doors are prohibited on the front facade of buildings. Attached garages shall be located at least 10 feet behind the front building line. Detached garages shall be located in the rear yard.
  5. One driveway not exceeding 12 feet in width for a single-car garage or not exceeding 18 feet in width for a two-or-more-car garage is permitted.
  6. Off-street parking for single- and two-family dwellings may be provided for on approved driveways.
  7. Any new detached dwelling shall have a covered front porch no less than five feet in depth measured from the front property line to the interior of the lot.
- B. **Multi-Family Dwellings.** The following standards shall apply to multi-family dwellings in all residential districts.
  1. Buildings are encouraged to be designed with the outward appearance of a single-family dwelling, utilizing complimentary materials, roof lines, and architectural detailing. Entrances should be so oriented to resemble that of a single- or two-family dwelling.
  2. Regardless of the number of units contained therein, multi-family dwellings should employ the use of four-sided architectural treatments to ensure a high-quality of design on all facades.
  3. Buildings shall not have large or long continuous wall or roof planes. Larger buildings shall be visually divided into smaller sections no longer than 50 feet in length by

recesses, bays, gables, porches, or other architectural devices to prevent an out-of-scale, monolithic appearance.

4. Buildings shall be articulated into varied forms to create interest and variety and avoid an overly repetitive appearance. Differences in form and detail and breaks between buildings shall be orchestrated in such a way that adjacent buildings and facades define a continuous street wall and the public realm of the street.
  5. Every multi-family dwelling shall have a minimum setback of 10 feet from all interior roads, driveways and parking areas.
  6. Buildings shall be laid out so that primary entrances face the public street. Each entrance shall be connected by sidewalk to the Village's existing sidewalk system so as to provide both an internal and external circulation network for pedestrians.
  7. Garage entrance/exit doors are prohibited on the front facade of buildings. Attached garages shall be located at least 10 feet behind the front building line. Detached garages shall be located in the rear yard.
  8. Every multi-family development shall be provided with proper garbage disposal units, together with refuse storage and collection area well maintained and screened in accordance with Section 30.169.
  9. The entire area of a multi-family development not improved for driveways, parking areas, or covered by building or walkways shall be landscaped to the satisfaction of the Planning Board.
  10. Accessory structures, such as clubhouses, pools, pool buildings, storage buildings, and trash enclosures, shall be located in a manner that does not disturb or encroach upon the public realm of the site (pedestrian walkways, roadway, etc.).
  11. Air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing, and commercial satellite dishes or telecommunications devices shall be thoroughly screened from view from the public right-of-way and from adjacent residential properties. Screening shall be architecturally compatible with the style, materials, colors, and details of the structure. Single- and two-family dwellings shall be exempt from this provision.
- C. Nonresidential Buildings.** The following standards shall apply to nonresidential buildings in all residential districts.
1. To the maximum extent practicable, buildings shall be arranged to orient to the streets and to frame the corner at the intersection of two streets, where applicable.

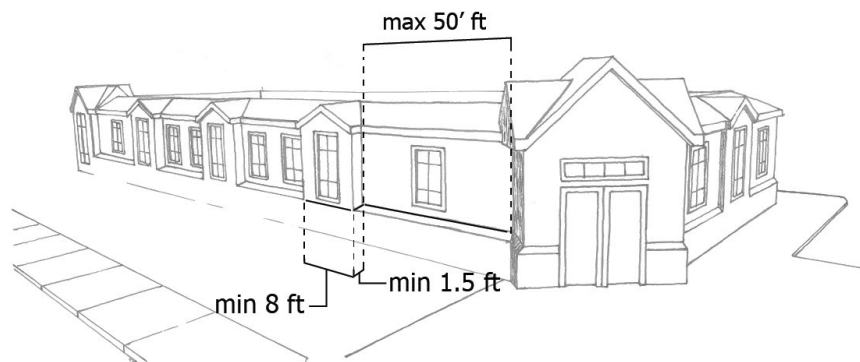
2. Buildings shall exhibit a clearly defined base, mid-section, and crown. This can be accomplished using a combination of architectural details, materials and colors. See Figure 1-II.

**Figure 1-II:**



3. Architectural details or features such as dormers, masonry chimneys, cupolas, clock towers, and other similar elements are encouraged.
4. All buildings shall have a prominent street level entrance visible and accessible from the public sidewalk.
5. Buildings located on corner lots shall have an entrance located on the corner that faces the intersection of two public streets to the extent practicable.
6. Varied building designs that avoid long, flat facades are required. No facade shall exceed 50 feet in horizontal length without a change in facade plane. Changes in facade planes shall be no less than one and one-half (1.5) feet in depth and eight feet in length (see Figure 2-II). Any changes in exterior building material shall occur at interior corners.
7. All facades shall be designed to be consistent in regard to architectural style, materials, and details.

**Figure 2-II:**



- D. All primary buildings shall be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including, but not limited to, painted wood; natural or synthetic stone; brick; stucco; integrally-colored, textured, or glazed concrete masonry units; high-quality pre-stressed concrete systems; Exterior Insulation Finish Systems (EIFS); or glass. Prohibited materials include:

1. Smooth-faced gray concrete block, smooth-faced painted or stained concrete block, smooth-faced concrete panels;
  2. Unfinished wood; and
  3. Corrugated metal siding.
- E.** Air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing, and commercial satellite dishes or telecommunications devices shall be thoroughly screened from view from the public right-of-way and from adjacent residential properties. Screening shall be architecturally compatible with the style, materials, colors, and details of the structure.

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## ARTICLE II-B BUSINESS DISTRICTS

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### § 30.30 DISTRICTS ESTABLISHED

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- A. The business districts of the Village of Avon are established as listed in the table below. When this zoning law refers to business or “B” zoning districts it is referring to the following:

**TABLE 30.30**

DISTRICT NAME	MAP SYMBOL
General Business	GB
Village Business	VB
Combination Business	CB

- B. The business district names and map symbols are intended to provide a general indication of what is allowed in the district by denoting the intensity, scale, and/or type of uses permitted.

### § 30.31 DISTRICT PURPOSE STATEMENTS

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- A. **General Business (GB) District.** The purpose of the GB District is to accommodate a mix of uses that cater to Avon residents, travelers, and tourists, while also implementing the recommendations of the Village’s Comprehensive Plan. The GB District is intended to designate areas for the development of larger scale commercial activities that depend upon visibility for larger volumes of traffic. Development in the GB District should respect the Village’s traditional character and walkability, enhancing both the public and private realms. Future investment should include pedestrian and bicyclist access, Village-scaled building and site design, and ample greenery and landscaping so as to create a comfortable and inviting streetscape for all modes of travel. Special attention should be given to the design of sites and structures to create a welcoming gateway into the Village.
- B. **Village Business (VB) District.** The purpose of the VB District is to maintain and enhance the historic character and vibrancy of the Village of Avon’s multi-story, mixed-use 19th Century Main Street. The VB District is characterized by its sidewalk connectivity, traditional architecture, and dense concentration of activity with a high degree of amenities that creates an inviting streetscape for visitors arriving on foot, bicycle, or by motor vehicle. Future development and investment in the VB District shall be consistent with and positively contribute to the existing pedestrian-friendly environment and historic character of the Village with respect to building and site design. Existing historically

significant structures shall be preserved to the greatest extent practicable. The restoration or rehabilitation of structures for reuse is highly encouraged.

- C. Combination Business (CB) District.** The purpose of the CB District is to implement the recommendations of the Village's Comprehensive Plan and provide for increased economic development opportunity in neighborhoods where the provision of low-impact commercial, office, and light industrial uses is desired. The intent of the CB District is to permit the continuation and protection of residential uses in combination with small-scale, limited commercial and industrial uses. The development or adaptive reuse of structures is allowed provided the proposed structure and use is compatible with the scale, form, and level of intensity of nearby existing structures and uses.

**§ 30.32**

**DISTRICT USE CLASSIFICATIONS**

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- A.** Uses shall be permitted as noted by the use class in each business district table and shall be subject to the bulk and dimensional requirements contained therein.
- B.** Uses denoted with a "P" are permitted by-right.
- C.** Uses denoted with an "SP" are specially permitted and shall require the issuance of a special use permit.
- D.** Uses not explicitly listed in the table shall be prohibited.

**§ 30.33 GENERAL BUSINESS (GB) DISTRICT TABLE**

TABLE 30.33: GB DISTRICT	USE CLASS	MIN LOT		MIN YARDS			MAX LOT COVERAGE	MAX BUILDING	
		SIZE	WIDTH	FRONT <sup>1</sup>	SIDE <sup>2</sup>	REAR		HEIGHT	FOOTPRINT
<b>Residential Uses</b>									
*Multi-Family Dwelling <sup>3</sup>	SP	30,000 sf	80 ft	10/35 ft	20 ft	30 ft	30%	35 ft	-
Upper Floor Dwelling Units <sup>3</sup>	P	See First-Floor Use for Requirements							
*Accessory Use or Structure <sup>4</sup>	P	-	-	-	5 ft	5 ft	-	17 ft	-
<b>Commercial Uses</b>									
Animal Hospital or Veterinary Clinic	SP	1 Acre	100 ft	10/35 ft	50 ft	50 ft	40%	35 ft	15,000 sf
Administrative Office	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	15,000 sf
Brewery or Distillery	SP	30,000 sf	80 ft	10/35 ft	15/30 ft	30 ft	50%	35 ft	15,000 sf
*Car Wash	SP	1 Acre	80 ft	10/35 ft	15/30 ft	30 ft	50%	35 ft	15,000 sf
Dance, Art, Music, or Photo Studio	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	15,000 sf
*Day Care Facility, Adult or Child	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	15,000 sf
Financial Institution	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	15,000 sf
Funeral Home or Parlor	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	15,000 sf
*Gasoline Service Station	SP	30,000 sf	80 ft	10/35 ft	15/30 ft	30 ft	50%	35 ft	15,000 sf
Health or Fitness Club	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	15,000 sf
Hospital or Medical Clinic	P	1 Acre	80 ft	10/35 ft	15/30 ft	30 ft	50%	35 ft	15,000 sf
Hotel or Inn	P	1 Acre	80 ft	10/35 ft	15/30 ft	30 ft	50%	35 ft	15,000 sf
Laundromat or Dry-Cleaner	P	20,000 sf	70 ft	10/35 ft	15/30 ft	30 ft	50%	35 ft	15,000 sf
Personal Service Shop	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	15,000 sf
Professional or Medical Office	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	15,000 sf
Recreation/Entertainment Facility, Indoor	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	15,000 sf
Recreation/Entertainment Facility, Outdoor	SP	1 Acre	100 ft	10/35 ft	50 ft	50 ft	40%	35 ft	15,000 sf
Restaurant, Bar, or Tavern	P	30,000 sf	80 ft	10/35 ft	15/30 ft	30 ft	50%	35 ft	15,000 sf
Retail Store	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	15,000 sf
Storage Facility	SP	1 Acre	100 ft	10/35 ft	50 ft	50 ft	50%	35 ft	15,000 sf
*Telecommunications Facility	SP	20,000 sf	70 ft	10 ft	25 ft	30 ft	20%	35 ft	-
*Vehicle Sales, Service, or Repair Shop	SP	1 Acre	80 ft	10/35 ft	15/30 ft	30 ft	50%	35 ft	15,000 sf

\*\*Table continued on following page\*\*



TABLE 30.33: GB DISTRICT	USE CLASS	MIN LOT		MIN YARDS			MAX LOT COVERAGE	MAX BUILDING	
		SIZE	WIDTH	FRONT <sup>1</sup>	SIDE <sup>2</sup>	REAR		HEIGHT	FOOTPRINT
<b>Other Uses</b>									
Mix of Permitted/Specially Permitted Uses	SP	See Uses for Requirements, Most Restrictive Shall Prevail							
*Drive Through	SP	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	20%	15 ft	-
Library or Museum	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	-
Municipal Structure or Use	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	-
Nonprofit or Membership Based Club	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	-
*Outdoor Sales or Display, as Accessory Use	P	-	-	10/35 ft	15/25 ft	30 ft	-	20 ft	-
Place of Worship	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	-
Public Park or Playground	P	10,000 sf	70 ft	10 ft	15/25 ft	30 ft	20%	25 ft	-
*Public Utility	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	20%	35 ft	-
School, Public or Private	P	20,000 sf	70 ft	10/35 ft	15/25 ft	30 ft	50%	35 ft	-
*Nonresidential Accessory Use or Structure <sup>4</sup>	P	-	-	-	10 ft	10 ft	-	20 ft	-

- NOTES:** (1) The first number indicates the minimum front yard requirement, the second number indicates the maximum.  
 (2) The second number represents the required yard space if the lot abuts a residential district or use.  
 (3) Maximum permitted density is six dwelling units per acre.  
 (4) Accessory uses and structures are not permitted in the front yard.  
 (\*) Additional requirements for this use may be found in Article VI, Section 30.68 (Regulations by Use).

**§ 30.34 VILLAGE BUSINESS (VB) DISTRICT TABLE**

TABLE 30.34: VB DISTRICT	USE CLASS	MIN LOT		MIN YARDS			MAX LOT COVERAGE	MAX BUILDING	
		SIZE	WIDTH	FRONT <sup>1</sup>	SIDE <sup>2</sup>	REAR <sup>2</sup>		HEIGHT	FOOTPRINT
<b>Residential Uses</b>									
Single- or Two-Family Dwelling	P	10,000 sf	55 ft	20 ft	10 ft	20 ft	30%	35 ft	-
*Multi-Family Dwelling <sup>3</sup>	SP	20,000 sf	65 ft	20 ft	SPR <sup>4</sup>	SPR <sup>4</sup>	30%	35 ft	-
*Bed and Breakfast	P	20,000 sf	65 ft	20 ft	15 ft	30 ft	30%	35 ft	-
*Home Occupation	P	-	-	-	-	-	-	-	-
Upper Floor Dwelling Units <sup>3</sup>	P	See First-Floor Use for Requirements							
*Accessory Dwelling Unit	SP	-	-	-	-	-	-	-	-
*Accessory Use or Structure <sup>5</sup>	P	-	-	-	5 ft	5 ft	-	17 ft	-
<b>Commercial Uses</b>									
Administrative Office	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Animal Grooming Shop	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Brewery or Distillery	SP	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Dance, Art, Music, or Photo Studio	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
*Day Care Facility, Adult or Child	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Financial Institution	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Funeral Home or Parlor	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Health or Fitness Club	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Hotel or Inn	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Laundromat or Dry-Cleaner	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Personal Service Shop	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Professional or Medical Office	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Recreation/Entertainment Facility, Indoor	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Restaurant, Bar, or Tavern	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
Retail Store	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	6,000 sf
*Telecommunications Facility	SP	6,000 sf	50 ft	10 ft	25 ft	30 ft	20%	45 ft	-

**\*\*Table continued on following page\*\***

TABLE 30.34: VB DISTRICT	USE CLASS	MIN LOT		MIN YARDS			MAX LOT COVERAGE	MAX BUILDING	
		SIZE	WIDTH	FRONT <sup>1</sup>	SIDE <sup>2</sup>	REAR <sup>2</sup>		HEIGHT	FOOTPRINT
<b>Other Uses</b>									
Mix of Permitted/Specially Permitted Uses	SP	See Uses for Requirements, Most Restrictive Shall Prevail							
Library or Museum	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	-
Municipal Structure or Use	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	-
Nonprofit or Membership Based Club	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	-
*Outdoor Sales or Display, as Accessory Use	SP	-	-	0/10 ft	20/30 ft	25/30 ft	-	20 ft	-
Place of Worship	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	-
Public Park or Playground	P	5,000 sf	50 ft	10 ft	20 ft	25 ft	20%	25 ft	-
*Public Utility	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	-
School, Public or Private	P	6,000 sf	50 ft	0/10 ft	0/15 ft	20/30 ft	90%	45 ft	-
*Nonresidential Accessory Use or Structure <sup>5</sup>	P	-	-	-	10 ft	10 ft	-	20 ft	-

- NOTES:** (1) The first number indicates the minimum front yard requirement, the second number indicates the maximum.  
 (2) The second number represents the required yard space if the lot abuts a residential district or use.  
 (3) Maximum permitted density is eight dwelling units per acre.  
 (4) Requirements to be determined as part of site plan review.  
 (5) Accessory uses and structures are not permitted in the front yard.  
 (\*) Additional requirements for this use may be found in Article VI, Section 30.68 (Regulations by Use).

**§ 30.35 COMBINATION BUSINESS (CB) DISTRICT TABLE**

TABLE 30.35: CB DISTRICT	USE CLASS	MIN LOT		MIN YARDS			MAX LOT COVERAGE	MAX BUILDING	
		SIZE	WIDTH	FRONT	SIDE	REAR		HEIGHT	FOOTPRINT
<b>Residential Uses</b>									
Single- or Two-Family Dwelling	P	10,000 sf	55 ft	20 ft	10 ft	20 ft	30%	35 ft	-
*Multi-Family Dwelling (up to 5 units)	SP	20,000 sf	70 ft	20 ft	15 ft	25 ft	30%	35 ft	-
*Bed and Breakfast	P	20,000 sf	70 ft	20 ft	15 ft	25 ft	30%	35 ft	-
*Home Occupation	P	-	-	-	-	-	-	-	-
Upper Floor Dwelling Units	P	See First-Floor Use for Requirements							
*Accessory Dwelling Unit	SP	-	-	-	-	-	-	-	-
*Accessory Use or Structure <sup>1</sup>	P	-	-	-	5 ft	5 ft	-	17 ft	-
<b>Commercial Uses</b>									
Brewery or Distillery	SP	20,000 sf	70 ft	20 ft	20 ft	30 ft	35%	35 ft	2,500 sf
Dance, Art, Music, or Photo Studio	P	15,000 sf	70 ft	20 ft	20 ft	30 ft	35%	35 ft	2,500 sf
*Day Care Facility, Adult or Child	P	15,000 sf	70 ft	20 ft	20 ft	30 ft	35%	35 ft	2,500 sf
Health or Fitness Club	P	15,000 sf	70 ft	20 ft	20 ft	30 ft	35%	35 ft	2,500 sf
Laundromat or Dry-Cleaner	P	15,000 sf	70 ft	20 ft	20 ft	30 ft	35%	35 ft	2,500 sf
Lumberyard	SP	20,000 sf	70 ft	20 ft	20 ft	30 ft	35%	35 ft	2,500 sf
Personal Service Shop	P	20,000 sf	70 ft	20 ft	20 ft	30 ft	35%	35 ft	2,500 sf
Professional or Medical Office	P	15,000 sf	70 ft	20 ft	20 ft	30 ft	35%	35 ft	2,500 sf
Restaurant, Bar or Tavern	SP	20,000 sf	70 ft	20 ft	20 ft	30 ft	35%	35 ft	2,500 sf
Retail Store	SP	20,000 sf	70 ft	20 ft	20 ft	30 ft	35%	35 ft	2,500 sf
*Telecommunications Facility	SP	6,000 sf	70 ft	20 ft	30 ft	30 ft	20%	35 ft	-
<b>Other Uses</b>									
Mix of Permitted/Specially Permitted Uses	SP	See Uses for Requirements, Most Restrictive Shall Prevail							
Library or Museum	P	20,000 sf	70 ft	20 ft	15 ft	30 ft	35%	35 ft	-
Municipal Structure or Use	P	10,000 sf	70 ft	20 ft	15 ft	30 ft	35%	35 ft	-
Nonprofit or Membership Based Club	P	20,000 sf	70 ft	20 ft	15 ft	30 ft	35%	35 ft	-
*Outdoor Storage, as Accessory Use	SP	-	-	-	20 ft	30 ft	-	20 ft	-
*Outdoor Sales or Display, as Accessory Use	SP	-	-	5 ft	20 ft	30 ft	-	20 ft	-
Place of Worship	P	20,000 sf	70 ft	20 ft	15 ft	30 ft	35%	35 ft	-
Public Park or Playground	P	5,000 sf	50 ft	10 ft	20 ft	25 ft	20%	25 ft	-
*Public Utility	P	10,000 sf	70 ft	20 ft	15 ft	30 ft	20%	35 ft	-
*Nonresidential Accessory Use or Structure <sup>1</sup>	P	-	-	-	10 ft	10 ft	-	20 ft	-

**NOTES:** (1) Accessory uses and structures are not permitted in the front yard.  
 (\*) Additional requirements for this use may be found in Article VI, Section 30.68 (Regulations by Use).

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## ARTICLE II-C INDUSTRIAL DISTRICTS

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### § 30.36 DISTRICTS ESTABLISHED

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- A. The industrial districts of the Village of Avon are established as listed in the table below. When this zoning law refers to industrial or "I" zoning districts it is referring to the following:

TABLE 30.36

DISTRICT NAME	MAP SYMBOL
Light Industrial	LI

- B. The industrial district name and map symbol is intended to provide a general indication of what is allowed in the district by denoting the intensity, scale, and/or type of uses permitted

### § 30.37 DISTRICT PURPOSE STATEMENTS

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A. **Light Industrial (LI) District.**

1. The purpose of the LI District is to provide areas which may accommodate certain low impact industrial uses, as well as to provide local employment opportunities. This district is suitable for areas with adequate utilities, proximity to adequate transportation facilities and proper relationship to other land uses and natural features.
2. Industrial uses should generally be conducted within an enclosed structure and should be appropriately sited so as to foster a campus-style environment.
3. Industrial uses may include those in manufacturing and production utilizing previously prepared materials, but not those utilizing raw materials or any other process or activity which would result in or cause dissemination of excessive amounts of dust, smoke, gas, fumes, odors, noise, glare, vibration or any other nuisance to adjacent buildings or land.
4. This district specifically excludes residences, retail stores and restaurants due to the potential for conflicts between land uses.

**§ 30.38**

**DISTRICT USE CLASSIFICATIONS**

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- A.** Uses shall be permitted as noted by the use class in each industrial district table and shall be subject to the bulk and dimensional requirements contained therein.
- B.** Uses denoted with a "P" are permitted by-right.
- C.** Uses denoted with an "SP" are specially permitted and shall require the issuance of a special use permit.
- D.** Uses not explicitly listed in the table shall be prohibited.

**§ 30.39 LIGHT INDUSTRIAL (LI) DISTRICT TABLE**

TABLE 30.39: LI DISTRICT	USE CLASS	MIN LOT SIZE	MIN LOT WIDTH	MIN YARDS			MAX LOT COVERAGE	MAX BUILDING HEIGHT <sup>2</sup>
				FRONT	SIDE <sup>1</sup>	REAR <sup>1</sup>		
<b>Commercial Uses</b>								
Administrative Office	P	1 Acre	100 ft	30 ft	50 ft	50 ft	35%	35 ft
Animal Hospital or Veterinary Clinic	SP	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
Animal Kennel	SP	2 Acres	150 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
Recreation/Entertainment Facility, Indoor	SP	1 Acre	100 ft	30 ft	50 ft	50 ft	35%	35 ft
Recreation/Entertainment Facility, Outdoor	SP	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
Self-Storage Facility	P	1 Acre	100 ft	30 ft	50 ft	50 ft	35%	35 ft
*Telecommunications Facility	P	1 Acre	100 ft	30 ft	50 ft	50 ft	35%	35 ft
<b>Industrial Uses</b>								
Fabrication of Paper, Wood, or Metal Products	P	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
Manufacturing, Processing, or Repair of:								
• Cosmetics, Pharmaceuticals, or Medical Supplies	P	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
• Electronics, Furniture, Machine Parts, or Jewelry	P	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
• Plastics or Chemical Products	P	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
Printing, Publishing, or Engraving Facility	P	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
Processing, Assembly, Packaging or Storage of:								
• Previously Refined Materials	P	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
• Food, Beverage, or Food Related Products	P	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
Research and Development Facility, Scientific Laboratory	P	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
Scientific Laboratory	P	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
<b>Other Uses</b>								
*Adult Use	P	1 Acre	100 ft	30 ft	50/100 ft	50/100 ft	35%	35 ft
Agricultural Use or Operation	SP	3 Acres	150 ft	50 ft	50/100 ft	50/100 ft	5%	35 ft
Industrial Use Otherwise Not Listed	SP				SPR <sup>3</sup>			
Municipal Structure or Use	P	1 Acre	100 ft	30 ft	50 ft	50 ft	35%	35 ft
*Outdoor Sales or Display, as Accessory Use	SP	-	-	30 ft	50/75 ft	50/75 ft	-	20 ft
*Outdoor Storage, as Accessory Use	SP	-	-	-	50/75 ft	50/75 ft	-	20 ft
*Public Utility	P	1 Acre	100 ft	30 ft	50 ft	50 ft	35%	35 ft
*Nonresidential Accessory Use or Structure	P	-	-	-	10 ft	10/30 ft	-	25 ft

- NOTES:** (1) The second number shall be the requirement when adjacent to a residential district or use.  
(2) Industrial uses at least 320 linear feet from a residential use or district, as measured from the nearest lot lines, may have a maximum building height of 100 feet.  
(3) Requirements to be determined as part of site plan review.  
(\*) Additional requirements for this use may be found in Article VI, Section 30.68 (Regulations by Use).

**§ 30.40 INDUSTRIAL USE PERFORMANCE STANDARDS**

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- A. Enclosed Operations Only.** All industrial processes shall take place within an enclosed building, with outdoor storage allowable with a special use permit.
- B. Prohibition of Uses with Adverse Impacts.** No industrial use shall be permitted that may result in one or more of the following:
  - 1.** Dissemination of noise, vibration, odor, dust, smoke, observable gas or fumes or other atmospheric pollutant beyond the boundaries of the immediate site of the building in which such use is conducted.
  - 2.** Hazard of fire or explosion or other physical hazard, to any person, building or vegetation.
  - 3.** Radiation or interference with radio or television reception beyond the boundaries of the immediate site of the building in which such use is conducted or scientific testing of instruments which required the flying of aircraft in the vicinity in such manner as to constitute a public nuisance.
  - 4.** A harmful discharge of waste materials.
  - 5.** Unusual traffic hazards or congestion due to type or vehicles required.

**§ 30.41 LANDSCAPING & SCREENING STANDARDS**

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- A. Seeding Required.** Each use established in this district shall set aside a minimum of 15% of the tract for seeding and landscaping and use this area for no other purposes.
- B. Minimum Buffer.** A buffer strip that is perpetually maintained with fencing and/or landscape plantings shall be required in the minimum yard space along any property line abutting a residential use or structure. Such buffer strip shall provide a complete visual screen from the residential use and shall maintain a height of at least six but no more than eight feet.



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# ARTICLE III SPECIAL PURPOSE & OVERLAY DISTRICTS

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## § 30.42 DISTRICTS ESTABLISHED

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The special purpose and overlay districts of the Village of Avon are established as listed in the table below.

TABLE 30.42

DISTRICT NAME	MAP SYMBOL
Agricultural	AG
Special Flood Hazard Overlay	FO

## § 30.43 DISTRICT PURPOSE STATEMENTS

---

**A. Agricultural (AG) District.** The purpose of the AG District is to permit the continuation of agriculture operations within the Village and the associated uses necessary to support it in accordance with the adopted Comprehensive Plan. The intent of the AG District is to provide for the continued operation of local farms and farm industry and maintain the viability of local agriculture within the community. Since agriculture is the intended primary use, the impacts associated with normal, reasonable and generally accepted farming practices shall not form the basis for violations under any part of this Chapter.

**B. Special Flood Hazard Overlay (FO) District.**

1. The FO District is hereby established to allow the Genesee River to carry abnormal flows of water in times of flood, to prevent encroachments into the flood plains of this waterway which will unduly increase flood heights and damage, and to prevent excessive property damage as well as a potential threat to the health and safety in the area of greatest flood hazard.
2. The "flood plain zone" is not restricted to any particular zoning district as established under this Chapter, but instead is superimposed over any district which lies within the flood plains of the Genesee River.
3. Property within the FO District may or may not coincide with the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) flood zones for the Village of Avon. Property within the FIRM flood zones is subject to the requirements of the Flood Damage Prevention Code (Chapter 37.1) of the Village Code of Avon.

**§ 30.44 AGRICULTURAL (AG) DISTRICT TABLE**

- A.** Uses shall be permitted as noted by the use class in the following district table and shall be subject to the bulk and dimensional requirements contained therein.
- B.** Uses denoted with a "P" are permitted by-right.
- C.** Uses denoted with an "SP" are specially permitted and shall require the issuance of a special use permit.
- D.** Uses not explicitly listed in the table shall be prohibited.

TABLE 30.44: AG DISTRICT	USE CLASS	MIN LOT SIZE	MIN LOT WIDTH	MIN YARDS			MAX LOT COVERAGE	MAX BUILDING HEIGHT
				FRONT	SIDE <sup>1</sup>	REAR <sup>1</sup>		
<b>Residential Uses</b>								
Single-Family Dwelling	P	1 Acre	60 ft	30 ft	15 ft	30 ft	30%	35 ft
*Mobile Home Park	SP	3 Acres	200 ft	30 ft	20 ft	20 ft	30%	35 ft
Nursing Home or Assisted Living Facility	SP	1 Acre	100 ft	30 ft	20 ft	30 ft	30%	35 ft
*Accessory Dwelling Unit	SP	-	-	-	-	-	-	-
*Accessory Use or Structure	P	-	-	-	15 ft	15 ft	-	17 ft
<b>Agricultural Uses <sup>2</sup></b>								
Farms and Related Farming Activities	P	3 Acres	100 ft	30 ft	20/100 ft	30/100 ft	5%	35 ft
Storage of Manure	P	20,000 sf	100 ft	30 ft	20/100 ft	30/100 ft	5%	35 ft
Storage of Farm Equipment	P	20,000 sf	100 ft	30 ft	20/100 ft	30/100 ft	5%	35 ft
<b>Other Uses</b>								
Municipal Structure or Use	P	1 Acre	100 ft	30 ft	15 ft	30 ft	30%	35 ft
*Public Utility	SP	1 Acre	100 ft	30 ft	15 ft	30 ft	30%	35 ft
Place of Worship	SP	1 Acre	100 ft	30 ft	15 ft	30 ft	30%	35 ft
School, Public	SP	1 Acre	100 ft	30 ft	15 ft	30 ft	30%	35 ft
Library or Museum	SP	1 Acre	100 ft	30 ft	15 ft	30 ft	30%	35 ft
*Outdoor Storage, as Accessory Use	P	-	-	-	30 ft	30/50 ft	-	20 ft
*Nonresidential Accessory Use or Structure	P	-	-	-	20 ft	20/50 ft	-	20 ft

**NOTES:** (1) The second number shall be the requirement when adjacent to a residential district or use.  
 (2) No regulation herein shall restrict the operation of an agricultural use located within a NYS Agriculture and Markets recognized Agricultural District.  
 (\*) Additional requirements for this use may be found in Article VI, Section 30.68 (Regulations by Use).

**§ 30.45 EXTENT OF SPECIAL FLOOD HAZARD OVERLAY (FO) DISTRICT**

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For the purposes of this Chapter, the FO District shall be defined as designated on the zoning map of the Village of Avon. Where the boundary of the FO District does not follow parcel or property lines, the Code Enforcement Officer shall make a determination as to the extent of the FO District area.

**§ 30.46 FO DISTRICT PERMITTED USES**

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- A.** Uses permitted in the FO District shall be determined by the regulations of the underlying zoning district.
- B.** The following uses shall also be permitted within the FO District:
  - 1.** Raising of agricultural crops.
  - 2.** Roads, railroads, electric and other utility transmission lines.
  - 3.** Open type public or private recreation facilities such as public parks, golf courses, drive-in theaters and boating or fishing lakes.
  - 4.** Temporary or transit uses such as carnival, circus or similar amusement enterprises.
  - 5.** Storage yards for equipment and materials not subject to movement by flood, provided such use is accessory to uses legally permitted in an adjoining area, but not including the storing of inflammables such as gasoline, fuel oil, etc.
  - 6.** No change in the channel location or capacity of the stream will be allowed except after approval by the appropriate state agencies and the Village Engineer or the Village Board.

**§ 30.47 FO DISTRICT BUILDING PERMIT REVIEW CONSIDERATIONS**

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No building permit shall be issued within the FO District unless approved by the Code Enforcement Officer. The Code Enforcement Officer, in his review, shall be guided by the following standards, keeping in mind that the purpose of the FO District is to prevent encroachment into the floodway which will unduly increase flood heights and endanger life and property.

- A.** Any structure permitted shall be designed, constructed and placed on the lot so as to offer minimum obstruction to the flow of water.
- B.** Any structure permitted shall be firmly anchored to prevent the structure from floating away and thus threatening to further restrict bridge openings or other restricted sections of the stream.
- C.** Any use permitted shall be constructed so as to not be subject to appreciable damage by flood waters.
- D.** Where in the opinion of the Code Enforcement Officer topographical data, engineering and other studies are needed to determine the effects of flooding on a proposed structure

and/or effect of the structure on the flow of water, the Code Enforcement Officer may require the applicant to submit such data prepared by competent engineers or other technical person.

- E.** The granting of approval of any use or structure shall not constitute a representation, guarantee or warranty of any kind or nature of the Village of Avon, or by any officer or employee, of the practicality or safety of any use or structure proposed and shall create no liability upon, or cause action against, any such public body, officer or employee for any damage that may result pursuant thereto.