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# ARTICLE XV MIXED RESIDENTIAL (MR) DISTRICT

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## § 30.161 DISTRICT ESTABLISHED

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For the purpose of promoting the public health, safety, and general welfare and implementing the future development recommendations of the Village of Avon Comprehensive Plan, the Village hereby establishes a Mixed Residential District. This District shall be referred to as identified in Table XV-1.

**TABLE XV-1**

| District Name     | Map Symbol |
|-------------------|------------|
| Mixed Residential | MR         |

## § 30.162 PURPOSE STATEMENT

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The purpose of the Mixed Residential (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 objectives of Section 30.163.

## § 30.163 OBJECTIVES

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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.

**§ 30.164**

**MR DISTRICT USE AND DIMENSIONAL REQUIREMENTS**

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The permitted and specially permitted uses of the MR District are provided in Table XV-2 along with their dimensional and bulk requirements. Uses not explicitly listed in the table are prohibited.

| TABLE XV-2  | MIN Lot Size (SF) | MIN Lot Width (FT) | MIN Yards (FT)     |                   |                   | MAX Lot Coverage | MAX Building |                |
|---|-------------------|--------------------|--------------------|-------------------|-------------------|------------------|--------------|----------------|
|   |                   |                    | Front <sup>1</sup> | Side <sup>2</sup> | Rear <sup>2</sup> |                  | Height (FT)  | Footprint (SF) |
| <b>A. Permitted Uses</b>                            |                   |                    |                    |                   |                   |                  |              |                |
| <b>Residential</b>                                  |                   |                    |                    |                   |                   |                  |              |                |
| 1. Single-Family Dwelling                           | 10,000            | 55                 | 25/35              | 15/30             | 15/30             | 50%              | 35           | -              |
| 2. Two-Family Dwelling <sup>3</sup>                 | 20,000            | 65                 | 25/35              | 15/30             | 15/30             | 50%              | 35           | -              |
| 3. Multi-Family Dwelling <sup>3</sup>               | 20,000            | 65                 | 25/35              | 15/30             | 15/30             | 50%              | 35           | -              |
| 4. Accessory Structure or Use <sup>4</sup>          | N/A               | N/A                | -                  | 5                 | 5                 | N/A              | 15           | -              |
| <b>Other Uses</b>                                   |                   |                    |                    |                   |                   |                  |              |                |
| 5. Public Utilities, Municipal Uses                 | 20,000            | 65                 | 25/35              | 20/40             | 25/40             | 30%              | 35           | -              |
| 6. Community Center                                 | 20,000            | 65                 | 25/35              | 20/40             | 25/40             | 30%              | 35           | -              |
| 7. Parks and Open Space                             | 20,000            | 65                 | 25                 | 15                | 15                | 30%              | 25           | -              |
| <b>B. Specially Permitted Uses</b>                  |                   |                    |                    |                   |                   |                  |              |                |
| <b>Residential</b>                                  |                   |                    |                    |                   |                   |                  |              |                |
| 1. Assisted Living                                  | 20,000            | 65                 | 25/35              | 20/40             | 25/40             | 40%              | 35           | -              |
| 2. Nursing Home                                     | 1 Acre            | 80                 | 25/35              | 20/40             | 25/40             | 40%              | 35           | 20,000         |
| 3. Day Care Facility, Adult or Child                | 1 Acre            | 80                 | 25/35              | 20/40             | 25/40             | 40%              | 35           | 20,000         |
| <b>Commercial</b>                                   |                   |                    |                    |                   |                   |                  |              |                |
| 4. Laundromat                                       | 20,000            | 55                 | 25/35              | 20/40             | 25/40             | 50%              | 35           | 5,000          |
| 5. Professional or Medical Office                   | 20,000            | 65                 | 25/35              | 20/40             | 25/40             | 50%              | 35           | 5,000          |
| 6. Administrative Office                            | 20,000            | 65                 | 25/35              | 20/40             | 25/40             | 50%              | 35           | 5,000          |
| 7. Bank (No Drive-through)                          | 20,000            | 65                 | 25/35              | 20/40             | 25/40             | 50%              | 35           | 5,000          |
| <b>Other Uses</b>                                   |                   |                    |                    |                   |                   |                  |              |                |
| 8. Mix of Permitted and/or Specially Permitted Uses | 1 Acre            | 80                 | 25/35              | 20/40             | 25/40             | 50%              | 35           | See Use        |

**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 if the lot is located adjacent to a residential district or use.
3. Maximum density is six (6) dwelling units per acre.
4. Must be located in the side or rear yard.

**§ 30.165 DISTRICT REGULATIONS & PROCEDURES**

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- A.** 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.** 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.

**§ 30.166 SITE PLAN REVIEW REQUIRED**

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All uses in the MR District, once established, shall be subject to site plan review as required by Article XII of this Chapter.

**§ 30.167 MR DISTRICT LOT & USE CONSIDERATIONS**

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- A. 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.
- B. 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
- C. 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:
    - i.** The need to protect for public use areas historically used by the public such as trails;
    - ii.** The avoidance of siting of structures in hazardous areas, wetlands, floodplains, or on steep slopes;

- iii. The protection of sensitive habitats and woodlots; and
  - iv. 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.
- D. Community Center.** Where required by the Planning Board, multi-family developments shall include a community center space of at least 3,000 square feet.

**§ 30.168 OFF-STREET PARKING STANDARDS**

- A.** Off-street parking spaces shall be provided in accordance with Table XV-3:

**TABLE XV-3**

| <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>Commercial 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 may be provided in any yard space except front yard space. 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 in Subsection XV.6(1) above, but in no case shall be less than two (2) bicycle spaces.
- E. The maximum number of parking spaces allowable for any use is not to exceed 125% of the requirement of this Article.

**§ 30.169**

**LANDSCAPING AND 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.

**§ 30.170 BUILDING AND SITE DESIGN STANDARDS**

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**A. Single- and Two-Family Dwellings.**

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. 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.
4. 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.
5. Off-street parking for single- and two-family dwellings may be provided for on approved driveways.
6. 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.**

1. Buildings are encouraged to be designed with the outward appearance of a single-family dwelling, utilizing complimentary materials, roof lines, and

architectural detailing where appropriate. Entrances should be so oriented to resemble that of a single- or two-family dwelling.

2. 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.
3. 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.
4. Every multi-family dwelling shall have a minimum setback of 10 feet from all interior roads, driveways and parking areas.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.).

**C. Nonresidential Buildings.**

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-XV.

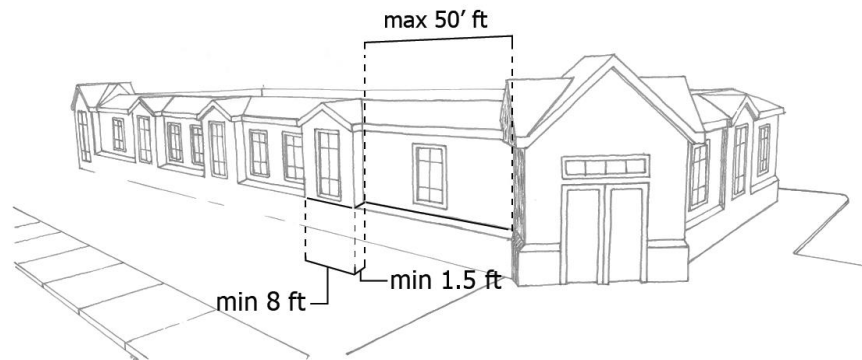
**Figure 1-XV:**





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 (8) feet in length (see Figure 2-XV). 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-XV:**



- 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. Single- and two-family dwellings shall be exempt from this provision.