

# Shelburne Village Center

Renewal Application

## **Complete Application. All Requirements Met.**

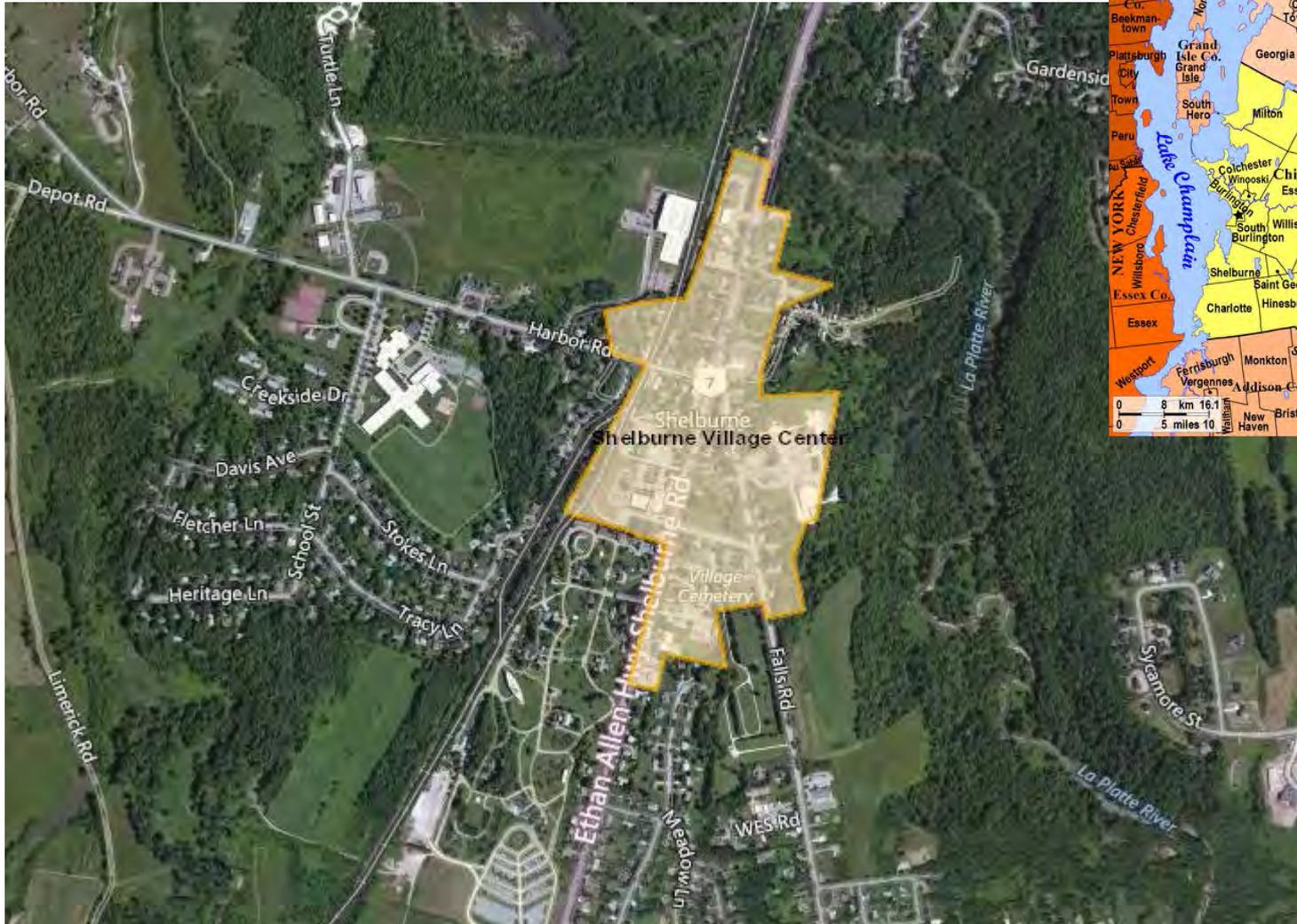
- Cover letter dated 09/30/2016.
- Authorization from selectboard on 09/27/2016.
- Town planning process confirmed on 06/18/2014 by CCRPC.
- Zoning bylaws and district map included.
- Historic district map included.
- Boundary map included. No changes to the boundary proposed.

## **Staff Recommendation**

**Renew designation.**

# Shelburne Village Center

## Aerial Map



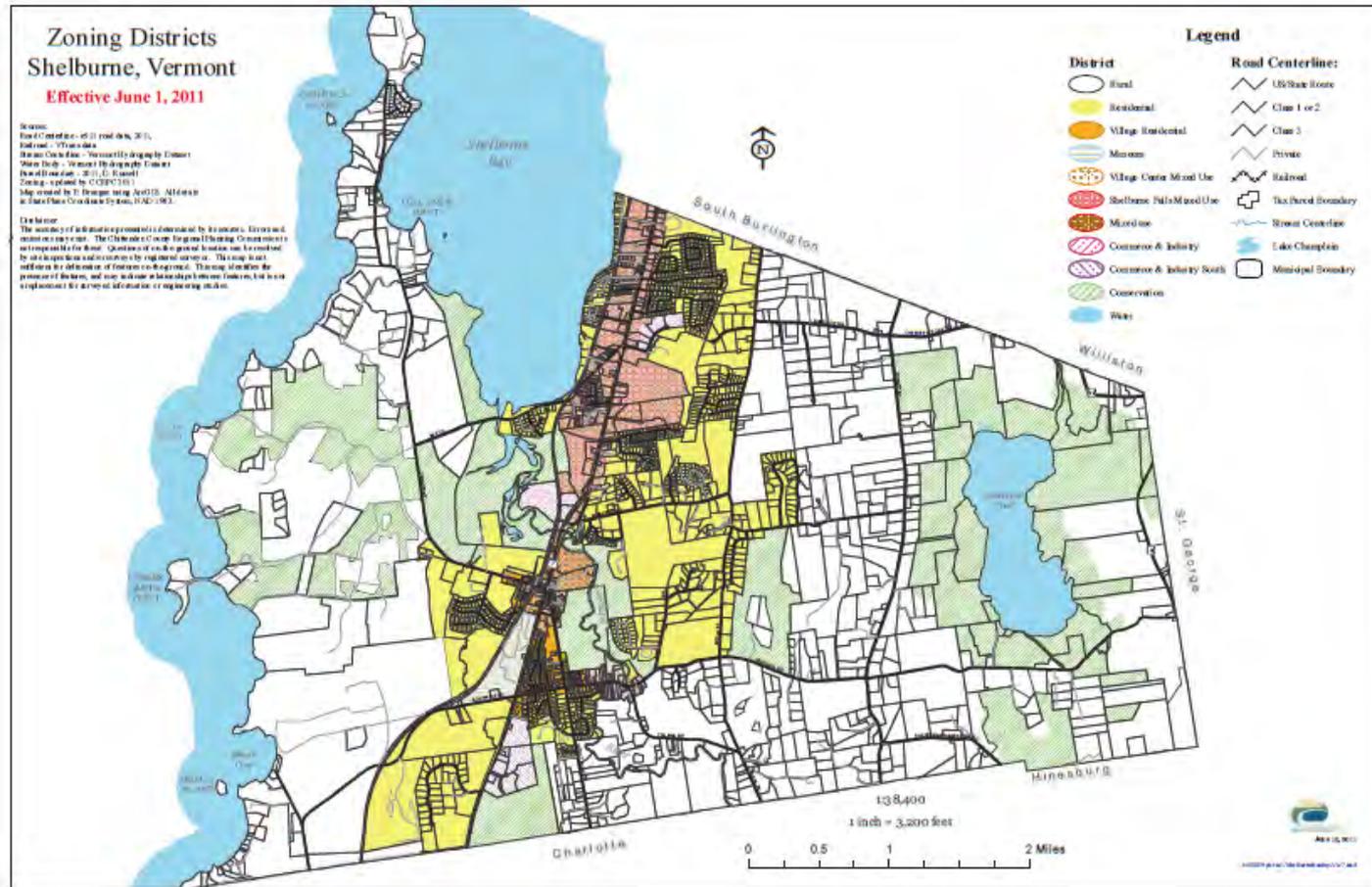
# Shelburne Village Center

## Revitalization Efforts

- Completed the Shelburne Village economic development and planning project to help guide village revitalization efforts
- Updated the village plan and completed the village green and parade ground Master Plan
- Created engineering designs for the Upper Falls Road streetscape improvement project
- Constructed a new sidewalk and improved the crosswalks in the village
- Revised the zoning regulations to remove certain barriers to redevelopment and investment by increasing allowed residential and commercial density
- Monitor conditions and maintain inventory of historic structures
- Expanded the Shelburne farmers market and related community events
- Updated the design guidelines for development within the village core and surrounding areas

# Shelburne Village Center

## Zoning Bylaws and District Map

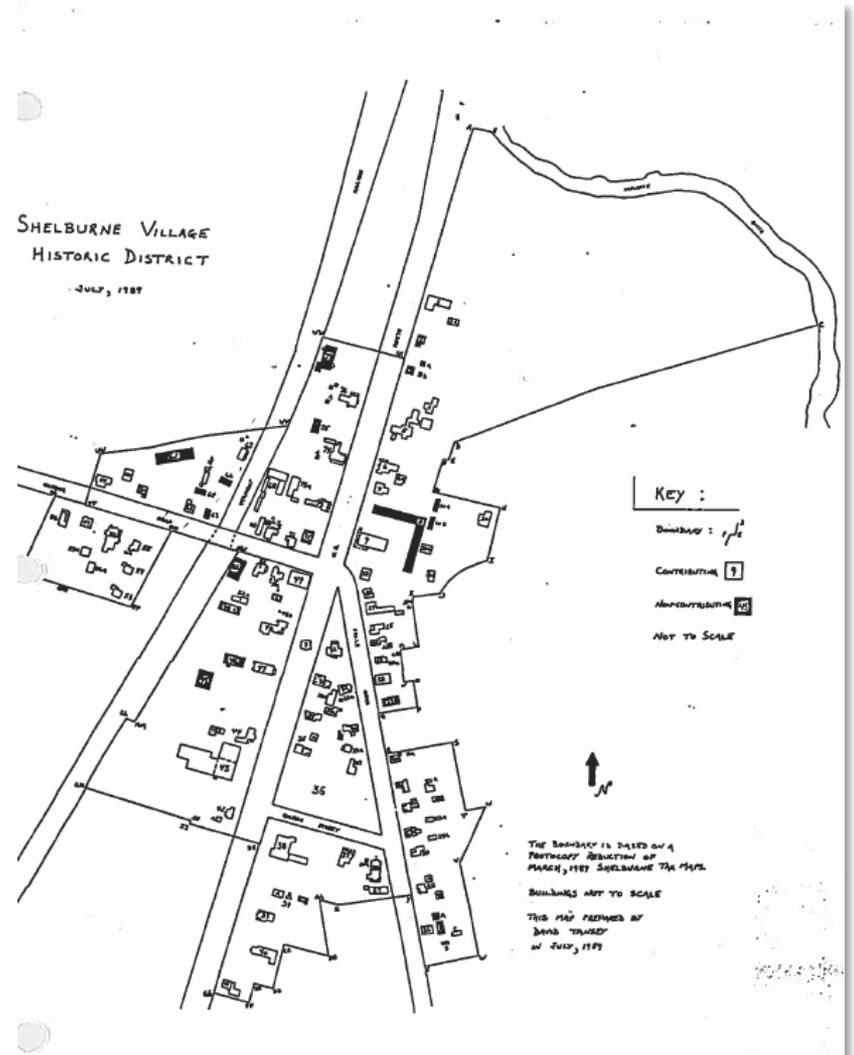


The designated boundary is located within the following zoning districts: village center zoning district.

# Shelburne Village Center

## Historic District Map

The designated boundary lies within the historic district, listed in the State and National Register of Historic Places.





# Shelburne Village Center

Discussion/Questions and Motion



**Staff Recommendation**

**Approve renewal application and award designation.**



# Town of Shelburne, Vermont

CHARTERED 1763

P.O. BOX 88 5420 SHELBURNE ROAD SHELBURNE, VT 05482

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Clerk/Treasurer (802) 985-5116	Town Manager (802) 985-5110	Zoning & Planning (802) 985-5118	Assessor (802) 985-5115	Recreation (802) 985-9551	FAX Number (802) 985-9550
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September 30, 2016

Vermont Village Center Designation Program  
Division for Community Planning and Revitalization  
Department of Housing and Community Development  
One National Life Office Drive, 6<sup>th</sup> Floor  
Montpelier, VT 05620

RE: Application for Village Center Designation (*Renewal*)

To Whom It May Concern:

The Town of Shelburne wishes to renew its designation as a Village Center, which is due to expire in October. The area so-designated is not proposed to change.

We seek to renew the designation so owners of qualifying properties and the Town remain eligible for the program benefits.

A listing of previous and current revitalization activities within or affecting the Village Center area includes, but is not limited to, the following:

- Completion of studies, such as the Shelburne Village Economic Development & Planning project;
- Completion of plans, such as the Village Plan update and the Village Green and Parade Ground Master Plan;
- Creation of engineering designs, such as those created for the Upper Falls Road Streetscape improvement project;
- Planning, design, and implementation of sidewalk and crosswalk improvements;
- Revision of zoning regulations to remove certain barriers to redevelopment and investment and in cases increase allowed residential and commercial density;
- Maintaining inventory and monitoring condition of historic structures;
- Supporting expansion of the Shelburne Farmers Market and related events; and
- Updating design guidelines for development within the village core and surrounding areas.

(Copies of these documents are available upon request.)

The contact information for the primary contact person is as follows:

Name:	Dean Pierce, Director of Planning and Zoning
Address:	PO Box 88, Shelburne, VT 0482
Phone:	802-264-5033
Email:	dpierce@shelburnevt.org

The following documentation is attached in support of the application:

- Copy of a resolution adopted by the Shelburne Select Board on September 27, 2016) authorizing the request for renewal;
- Copy of a resolution adopted by the Chittenden County Regional Planning Commission and providing documenting that the Town of Shelburne planning process is “confirmed” under 24 VSA §4350;

- A map showing the boundaries of the Village Center area (same as when renewed in 2011);
- Excerpts from the recently amended Shelburne Comprehensive Plan, where such excerpts:
  - explain how the designation furthers the goals of the Municipal Plan; and
  - depict the boundary of the designation area;
- Zoning map; and
- Map of the National Register Historic District.

I trust that the information we are providing will be suffice for the purposes of the application. Should you have any questions or concerns, do not hesitate to contact me or Dean Pierce, the Shelburne Director of Planning and Zoning.

Sincerely,



Joe Colangelo  
Town Manager

Attachments

**MINUTES/RESOLUTION**



# Town of Shelburne, Vermont

CHARTERED 1763

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FAX Number  
(802) 985-9550

## RESOLUTION For VILLAGE CENTER DESIGNATION RENEWAL

WHEREAS, the Town of Shelburne has previously been recognized by the State of Vermont and granted a Village Center Designation for a portion of the Town's village core; and

WHEREAS, such designation provides tax credits and other financial benefits to owners of income producing properties in the designated area as well as certain scoring advantages to the Town when applying for certain grants; and

WHEREAS, such designation must be renewed every five years, with the renewal date for the current designation being at the meeting of the Downtown Board to be held October 24, 2016, and the deadline for filing for renewal being October 3, 2016; and

WHEREAS, the Selectboard wishes for property owners and the Town to remain eligible for the benefits provided by the designation; and

WHEREAS, the Planning Commission has expressed its support for property owners and the Town to remain eligible for the benefits provided by the designation;

Now, THEREFORE, BE IT RESOLVED

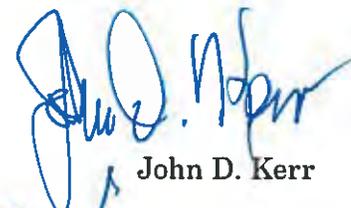
That the Shelburne Selectboard hereby expresses its approval for the Town to seek renewal of its Village Center Designation and that Town Manager Joe Colangelo is hereby authorized to submit an application and all required supporting documentation for the same to the Vermont Village Center Designation Program at the Division for Community Planning and Revitalization within the Department of Housing and Community Development.

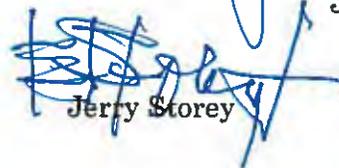
Board Member Signature

  
Gary Von Stange, Chair

  
Josh Dein

  
Colleen Parker

  
John D. Kerr

  
Jerry Storey

Passed this 27<sup>th</sup> day of September 2016.  
LEGISLATIVE BODY

## **CONFIRMED PLANNING PROCESS**

**Chittenden County Regional Planning Commission (CCRPC)  
Resolution**

**Shelburne's Comprehensive Plan Update & Planning Process**

WHEREAS, Title 24, V.S.A. § 4350 in part requires that CCRPC shall review the municipal planning process of our member municipalities including review of plans; that each review shall include a public hearing which is noticed as provided in 24 V.S.A. § 4350(b); and that before approving a plan the Commission shall find that it:

1. is consistent with the goals established in Section 4302 of this title;
2. is compatible with its Regional Plan;
3. is compatible with approved plans of other municipalities in the region;
4. contains all the elements included in § 4382(a)(1)-(11) of this Title.

WHEREAS, the CCRPC at its May 22, 2013 meeting approved the *CCRPC Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans* dealing with local plans and CCRPC action; and

WHEREAS, The Town of Shelburne, Vermont is a member municipality of this Commission; and

WHEREAS, The Town of Shelburne's Selectboard adopted the 2014 Comprehensive Plan on February 25, 2014; and

WHEREAS, The Town of Shelburne formally requested CCRPC to approve its Comprehensive Plan update and confirm its planning process; and

WHEREAS, The Planning Advisory Committee reviewed the Comprehensive Plan update and planning process; and

WHEREAS, the Planning Advisory Committee held a warned public hearing at the CCRPC, located at 101 W. Canal Street, Suite 202, Winooski, Vermont on May 21, 2014 at 3:40 PM, reviewed the records and recommended that, upon Selectboard adoption, the Commission approve Shelburne's Comprehensive Plan update as meeting the requirements of 24 V.S.A. § 4350 and the *Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans* and confirms the community's planning process as consistent with Title 24, Chapter 117.

NOW, THEREFORE, BE IT RESOLVED BY THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION, that, in compliance with 24 V.S.A. § 4350 and the *Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans*, CCRPC approves Shelburne's Comprehensive Plan update and the Commission finds that said Comprehensive Plan:

1. is consistent with the goals established in Section 4302 of Title 24;
2. is compatible with the *2013 Chittenden County Regional Plan, entitled the ECOS Plan*, adopted June 19, 2013;
3. is compatible with the approved plans from other adjacent Chittenden County municipalities; and
4. contains all the elements included in § 4382(a)(1)-(11) and/or is making substantial progress toward attainment of the elements of this subsection;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION, that, in compliance with 24 V.S.A. § 4350 and the *Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans*, CCRPC confirms the Town of Shelburne's municipal planning process.

Dated at Colchester, this 18<sup>th</sup> day of June, 2014.

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION

  
\_\_\_\_\_  
Lou Mossey, Chair

**VILLAGE CENTER DISTRICT BOUNDARY--MAP**



# Village Center Boundary, Shelburne



 Village Center Boundary, Proposed  
 Parcel boundaries



0.6 Miles

0.3

0

0.3

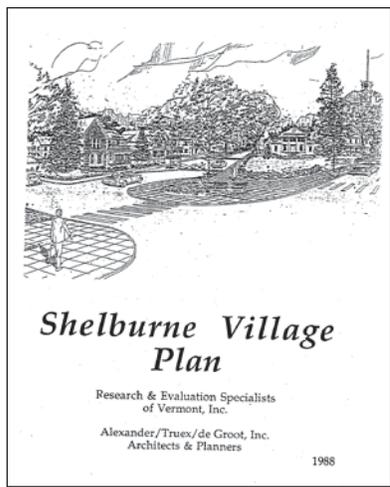


**EXCERPTS FROM COMPREHENSIVE PLAN**

## **Growth Area 1: Shelburne Village**

Shelburne Village is the social and functional center of the Town, and contains the area delineated on the Village Planning Sub-Areas Map (Map 2) on the following page.

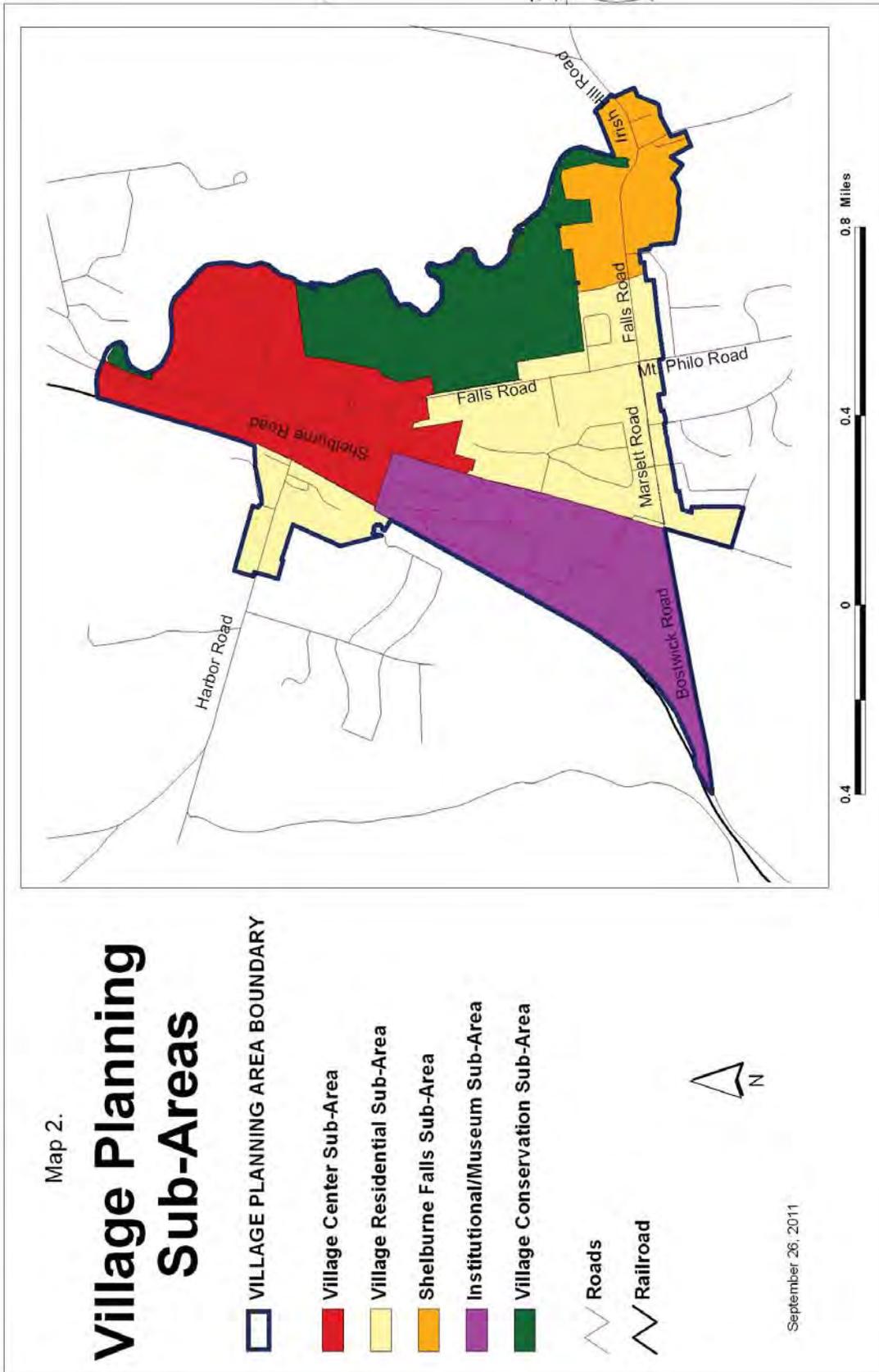
GOAL: TO ENSURE THAT SHELBURNE VILLAGE CENTER CONTINUES TO FUNCTION AS A CENTER OF ECONOMIC, SOCIAL, AND CULTURAL VITALITY, CONTAINING A DIVERSE MIXTURE OF RESIDENCES, BUSINESS ESTABLISHMENTS, CULTURAL AND RELIGIOUS FACILITIES, AND SUPPORTING GOVERNMENT OFFICES THAT IS LASTING AND DOES NOT LIMIT FUTURE OPPORTUNITIES.



The 1988 Shelburne Village Plan (Research and Evaluation Specialists of Vermont, Inc., Alexander-Truex-De Groot, Inc.) and the June 2006 Update of the Shelburne Village Plan (ORW Landscape Architects and Planners) provide the foundation for many of the objectives and recommended actions in this Section, and are incorporated into this Plan by reference.

The 1988 Village Plan identified five distinct sections of the Village Area. Careful review of existing conditions has resulted in a slight modification of the delineation of the five sections of the Village Area. These sections are also shown on Map 2, and are briefly identified below.

- The Village Center is the dense, mixed use area surrounding the Shelburne Road/Harbor Road/Falls Road intersection, and contains most of the Village Area businesses, the triangular Village green, the parade ground, and many of the Town's public buildings.
- The Institutional/Museum sub-area is located west of Shelburne Road, south of Church Street and is primarily made up of the Shelburne Museum.
- The Village Residential sub-area is a predominantly residential area, mostly to the south of the Village Center, and extending east on both sides of Falls Road. There is also a section of the Village Residential area west of the railroad tracks, along Harbor Road.
- The Shelburne Falls sub-area, the original village center, is the historic cluster of dwellings and small businesses on both sides of the LaPlatte River bridge.
- The Village Conservation sub-area consists of a protected strip of land along the east side of Falls Road, part of the LaPlatte River Nature Park, and other conserved lands such as the former Elkins property.



In addition to the above delineated sub areas, Shelburne Village also includes a Designated Village Center (DVC) and a Vermont Neighborhood (VN, and also known as a Neighborhood Development Area), both of which are recognized by the State of Vermont. The specific boundaries of the DVC and VN are discussed below.

Designation of the DVC supports community goals by giving the community priority consideration for state grants and other resources. Specific benefits of DVC designation include 10% Historic Tax Credits, 25% Facade Improvement Tax Credits, 50% Code Improvement Tax Credits, Priority Consideration For HUD, CDBG and Municipal Planning Grants, Priority Consideration By State Building And General Services (BGS), and Special Assessment Districts. (Also known as special benefits district or business improvement district, a Special Assessment District may be used to raise funds for both operating costs and capital expenses to support specific projects in the designated village center.) DVC benefits helped the redevelopers of the Shelburne Inn property realize the potential of that site.

Similarly, designation of the VN supports community goals by providing special permit and tax incentives for communities and developers that commit to building mixed-income housing within and adjacent to designated downtowns, village centers, new town centers, and growth centers. Specific benefits of VN designation include the following: Qualified “mixed income” projects are exempt from Act 250 regulations; Act 250 projects not qualifying for the exemption receive a 50% discount on application fees; Agency of Natural Resources fees for wastewater review are capped at \$50.00 for projects that have received sewer allocation from an approved municipal system; and Exemption from the land gains tax. VN benefits helped the developers of the Harrington Village project realize the potential of that site.

#### OBJECTIVES:

1. Reinforce the Village Center area around the Shelburne Road/Falls Road/Harbor Road intersection as the commercial, civic and social center of Shelburne village. Preserve and enhance the mixture of uses in this area including residential, commercial, office, and public uses. Encourage a mixture of housing types (detached and attached).
2. Enhance Shelburne Road as the “Main Street” of the Village by maintaining the visual qualities and residential character of development along it. Shelburne Road shall remain two lanes as it passes through the Village Area. The visual qualities will be addressed, in part, by landscaping, by the spacing and setback of structures, and by the presence of stately street trees.
3. Encourage a variety of appropriately scaled commercial, residential, and mixed use development and redevelopment in the Village, including development that enhances the attractiveness of the Village as a destination for commerce and an informal gathering place for town residents, while maintaining its character and compatibility with surrounding buildings.

4. Encourage continued private investment in the Village through thoughtful and timely public investments in infra-structure (streets, parking, utilities, etc.) and amenities (landscaping, streetscape, streetlights, etc.)
5. Maintain and enhance pedestrian accessibility in and to the Village. The scale and design of buildings and street amenities (landscaping, pavements, enhanced pedestrian crossings, benches, signs, street lights, etc.) shall enhance the experience of pedestrians in the Village area. To the greatest degree possible, there shall be various pedestrian routes within the Village and connecting the Village to surrounding areas and/or facilities.
6. Street intersections shall contain marked crosswalks at all sidewalk crossings. Signalized intersections shall contain pedestrian activated walk phases. A typical conceptual design for signalized intersections should be developed that specifies cantilevered signal poles, exposed aggregate ramps at sidewalk crossings, the location of pedestrian signal poles, landscaping, pedestrian scaled lighting, etc.
7. Using features such as street design, landscaping, and building design, create attractive and clearly identifiable entrances to the Village. The entrances should clearly differentiate the Village from surrounding areas.
8. Continue to preserve and protect the historic structures and patterns located in the Village.
9. Consistent with the 1995 Village Green and Parade Ground Landscape Master Plan (and subsequent updates), refine and reorganize the triangular Village Green as a visual focal point for the Village. It should be closely linked to civic and commercial areas and should be an integral part of the pedestrian circulation system.
10. Consistent with the 1995 Village Green and Parade Ground Landscape Master Plan (and subsequent updates), reinforce the Parade Ground north of Church Street as an active open space in the Village. It must be protected from infringement. And it should be retained as an open area suitable for a variety of activities such as craft shows, farm markets, field games, ice rinks, garden shows, etc., and be connected to the pedestrian/bicycle path network.
11. Link the cluster of Town buildings on the west side of Shelburne Road to the rest of the Village by pedestrian ways, visual features such as landscaping, streetlight design, and signage.
12. Integrate the Shelburne Museum into the Village, both visually and functionally, using features such as sidewalks.
13. The Shelburne Falls area, a distinct historic area, shall be reinforced as a compact, mixed use neighborhood and linked to the rest of the Village by pedestrian ways and pedestrian friendly streets.

14. The Village Conservation area provides informal recreation opportunities and visual and functional access to the LaPlatte River Nature Park. This must be retained as an important undeveloped Village feature. In addition, pedestrian and bicycle access to this area should be preserved and enhanced. Limited parking in this area along Falls Road should be created and carefully delineated. The Town should continue to manage this area in accordance with the 2011 “Management Plan for La Platte Nature Park”. Limited additional parking should be created for users of the La Platte Nature Park.

RECOMMENDED ACTIONS:

The goals and objectives set forth above will be implemented by a long term, coordinated, set of decisions by both public (i.e. the Town) and private parties. Private decisions will be influenced directly by Town Zoning requirements, and indirectly by Town investments in the Village area. Recommended Actions intended to achieve the goals and objectives are presented below.

1. Zoning: Periodically revisit the provisions of the Town’s Zoning Bylaws that pertain to the Village Area to ensure that they encourage and facilitate the pattern and types of development envisioned for each of the five sub-parts of the Village, and that they promote the visual qualities appropriate to a compact, pedestrian oriented center. Residential densities in the Village generally speaking should be higher than in other parts of town. Within the Village, densities should be highest in the Village Center, next highest in the Shelburne Falls section, and next highest in the residential areas. Specific issues to be addressed by zoning include preservation of historic structures, the proper mix of uses, and the appropriate design of buildings, streetscapes, and parking areas. Specific tools to be considered (some of which already exist) are overlay districts, design review districts, additional landscape requirements under Site Plan Review, and/or special Planned Unit/Planned Residential Development provisions. The Zoning Ordinance shall be revised as needed. The Planning Commission should investigate whether use of a Form Based Code and/or Transit Oriented development zoning would be appropriate in the Village Area.”
2. Support existing establishments and facilitate additional appropriately scaled commercial development in the Village Center. The following specific steps should be implemented.
  - Encourage the improvement of accessibility to the area north of the current shopping park.
  - Redesign and reconstruct upper Falls Road, Route 7 along the triangular Village green, and Church Street, as described in the 2006 Village Plan Update and the Streetscape improvement plans created to implement the Village Plan update.
3. Work with the Shelburne Museum to better integrate the Museum into the Village Area. Actions to be considered include:

- As described in the 2006 Village Plan update, establishing a pedestrian connection between the Museum grounds and the Village center.
  - Joint promotion between the Museum and Village businesses.
4. Continue to work with CCTA on the installation of pedestrian friendly bus stops throughout the Village. Bus stops should include shelters, should be located to provide convenient access to village activities as well as for easy connection to the pedestrian/bicycle path network, and should be funded by grant sources whenever possible.
  5. Based on the concepts set forth in the 1988 Shelburne Village Plan and in the 2006 Village Plan Update, continue to make improvements to the pedestrian circulation system in the Village Center. A specified set of projects could include new walkways and lighting, reconstructed walkways with lighting, and lighting of existing walkways. In particular, pedestrian improvements associated with the high priorities specified in the Village Plan Update, should be implemented as soon as possible.
  6. Landscaping: In order to achieve the visual qualities and pedestrian orientation described in the Goals and Objectives and the 1988 Shelburne Village Plan and in the 2006 Village Plan Update, a comprehensive multi-year landscaping program should be initiated. The assistance of a qualified landscape designer may be helpful.
    - Initiate a long-term street tree planting program consistent with recommendations contained within the Shelburne Village Plan Update. This program will involve filling gaps in existing street trees, anticipating the death and removal of existing street trees, and establishing street trees where none currently exist. Appropriate professionals (e.g., landscape architects and/or arborists) should be consulted during the development and implementation of this program.
    - Develop and implement a design for landscaping the triangular Village green as a focal point in the Village, consistent with recommendations contained within the 2006 Village Plan Update and the Village Green and Parade Ground Landscape Master Plan (and subsequent updates). This may involve connecting it visually to other areas of the Village, and functionally to the pedestrian walkway network.
    - Develop and implement designs for landscaping the principal entrances to the Village, consistent with recommendations contained within the 2006 Village Plan Update. The intent is to visually differentiate the Village from the surrounding areas, as well as to announce arrival into the Village.
  7. Develop a design for Shelburne Road as it passes through the Village, consistent with recommendations contained within the 2006 Village Plan Update. The design should be limited to two lanes, must incorporate pedestrian amenities, and must be sensitive to the

visual qualities of Shelburne Village. Also, the undergrounding of overhead utility lines should be a feature of the design.

8. Street lighting: The Town should install street lighting where appropriate. This determination shall recognize different needs for different areas such as along Shelburne Road, along other streets in the Village, and along pedestrian walkways. Fixtures should clearly differentiate the Village from surrounding areas, and create a relaxed, inviting, and pedestrian scaled atmosphere.
9. “Way Finding”: The Town should implement a unified design for a “way finding” system for the Village that incorporates directional and informational signs and identifies routes to various attractions (paths, trails, facilities, commercial establishments, cultural facilities, etc.) both within and outside of the Village.
10. Parking: Update the 2000 study<sup>1</sup> of current parking usage and anticipated parking needs in the Village. The new study should include an overall concept for meeting anticipated parking needs in the Village. If needed, additional parking shall be constructed, at developers’ expense, on schedule to be available when new development opens.
11. Utility Lines: The Town shall explore the possibility of placing existing overhead utility wires (both transmission and distribution lines) in the Village underground. At the very least, overhead street crossings should be moved underground to reduce visual clutter. Other options include moving overhead utility lines away from street rights-of-way to mid-block locations. In addition, the Town shall strongly encourage the undergrounding of utility lines along parcels undergoing development or redevelopment.
12. Conduct research on the potential benefits and impacts of an Official Map . The Official Map is a tool set forth in 24 V.S.A., Chapter 117, by which a municipality may designate locations for future public facilities and claim the right to purchase the sites if development is proposed on them.
13. Ensure the protection and proper management of the LaPlatte Nature Park by implementing (updating as needed) the Management Plan for the LaPlatte Nature Park.
14. Maintain Designations as Designated Village Center and Vermont Neighborhood (Neighborhood Development Area).

To facilitate the public improvements suggested above, it is recommended that they be incorporated into the Town’s on-going Capital Budget and Program as described in Vermont Statute (24 V.S.A., Chapter 117).

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<sup>1</sup> “Shelburne Village Transportation Plan Report”, Lamoureaux and Dickinson Consulting Engineers, Inc., December, 2000.

5. Continue to support the Town's Conservation Fund and use that fund to conserve lands containing the natural and scenic features and resources described in this section and elsewhere in this Comprehensive Plan. If appropriate, amend the guidelines for use of the Conservation Fund to include the development and implementation of management plans for conserved lands.
6. Work to ensure that utility lines are located (and relocated if possible) underground whenever possible, with consideration given to cost and whether the project giving rise to utility work involves new construction, renovation, and municipal activity.
7. To the maximum extent allowed by law, require those proposing development or redevelopment in the Rural Area to subscribe to the foregoing design and conservation principles.

### **Land Use Summary**

The discussion of the three land use areas can be combined to create a Future Land Use Map for Shelburne as shown in the Composite Future Land Use Map (Map 5). This map contains a total of nine designated areas. Of these:

- Two are described as areas for non-residential development (The Commercial/Industrial Area, and the Institutional/Museum Area),
- Three are described as areas for a mix of residential and non-residential uses (The Village Center Area, The Mixed Use Area, and The Shelburne Falls Area),
- Two are for residential development of varying densities (the Village Residential Area and the residential area in Growth Area 2),
- One is the Rural Area, and
- One is the Conservation Area.

The Village Center is expected to be the dominant location for retail and office uses, followed by the Mixed use Area.

The six areas that are intended to accommodate residential development will demonstrate a hierarchy of residential densities, as follows:

- Highest residential Density: Village Center Area
- Next Highest residential density: Mixed Use Area
- Third Highest residential density: Village Residential Areas and Shelburne Falls Area
- Next to lowest residential density: Residential Areas in Growth Area 2
- Lowest residential density: Rural Area

The large Rural Area is intended to convey the image of open lands, and, in conjunction with the Conservation Area, is where much of the Town's conservation efforts are to be focused.

The Village Center portion of Growth Area One also contains the vast majority of Shelburne's Designated Village Center and Vermont Neighborhood (also known as a Neighborhood Development Area). The specific boundaries of the Designated Village Center and Vermont Neighborhood are depicted in Map 6 below. As noted above, the DVC supports community goals by giving the community priority consideration for state grants and other resources. VN designation supports community goals by providing special permit and tax incentives for communities and developers that commit to building mixed-income housing within and adjacent to designated village centers.

Altogether, these land use goals, objectives, and recommended actions will achieve the land use vision set forth in the Vision Section of this Plan.

## Policy on Noise

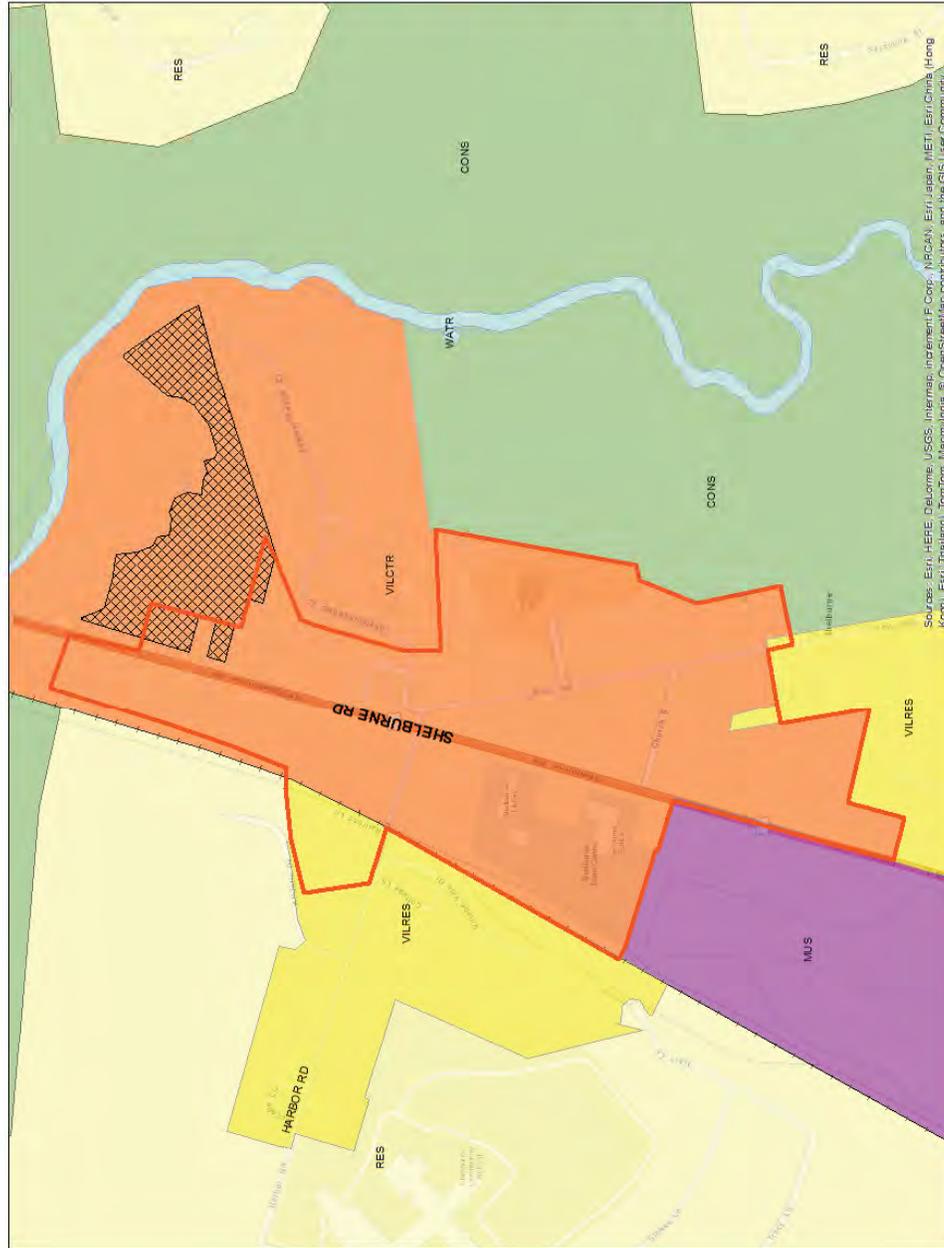
In the Town's rural, residential and conservation zoning districts, in particular, but also in other districts, the Town has a substantial interest in preserving the public health, safety, and welfare of its residents and visitors by prohibiting unreasonable and disturbing noise and preventing noise that is prolonged, unsuitable for the time and place and/or detrimental to the peace, health and good order of the community. Thus, in such districts, no person shall make or cause to be made any loud or unreasonable noise, and the Town should, through available legal, regulatory and law enforcement mechanisms, take steps to prevent such noise. Noise shall be deemed "unreasonable" when it exceeds what is usual and customary in the rural, residential and conservation districts and disturbs, injures or endangers the peace and health of another or the health, safety and welfare of the community, and may include, without limitation, unreasonable noise from fixed outdoor audio devices, wind mills, wind turbines, or similar devices. It should be noted that the foregoing text in this paragraph is intended to meet the so-called "Mirkwood" standard (see below), as developed by the former Environmental Board and applied by the PSB to municipal plan provisions. Under *Mirkwood*,<sup>2</sup> a provision of a town plan evinces a specific policy if the provision: (a) pertains to the area or district in which the project is located; (b) is intended to guide or proscribe conduct or land use within the area or district in which the project is located; and (c) is sufficiently clear to guide the conduct of an average person, using common sense and understanding.

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<sup>2</sup> Re: The Mirkwood Group and Barry Randall, #1R0780-EB, Findings of Fact, Conclusions of Law, and Order at 29 (Aug. 19, 1996).



**Map 6.**  
**Boundaries of**  
**Designated Village Center**  
**and**  
**Vermont Neighborhood**  
**in Relationship to**  
**Planning Areas**

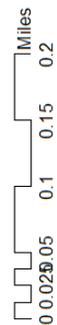


**Legend**

- Designated Village Center (DVC)
- Vermont Neighborhood
- Village Center Area
- Village Residential Area
- Institutional/Museum Area
- Shelburne Falls Area
- Mixed Use Area
- Commercial/Industrial Area
- Growth Area 2 Residential
- Rural Area
- Conservation Area
- Water/Shelburne Pond
- Highways and Streets
- Railroad
- Lakes and Ponds

Date: 10/22/2014

Sources: Esri, HERE, DeLorme, USGS, Intermap, iPlanet, F. Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



**SHELburne COMPREHENSIVE PLAN**

**2014,**

**As amended June 28, 2016**

**MAPS**



# Volume 1

Map	Title
1	Planning Areas
2	Village Planning Sub-Areas
3	Growth Area 2, With Sub-Areas
4	Rural Area, With Sub-Areas
5	Composite Future Land Use
6	Boundaries of Designated Village Center and Vermont Neighborhood in Relationship to Planning Areas

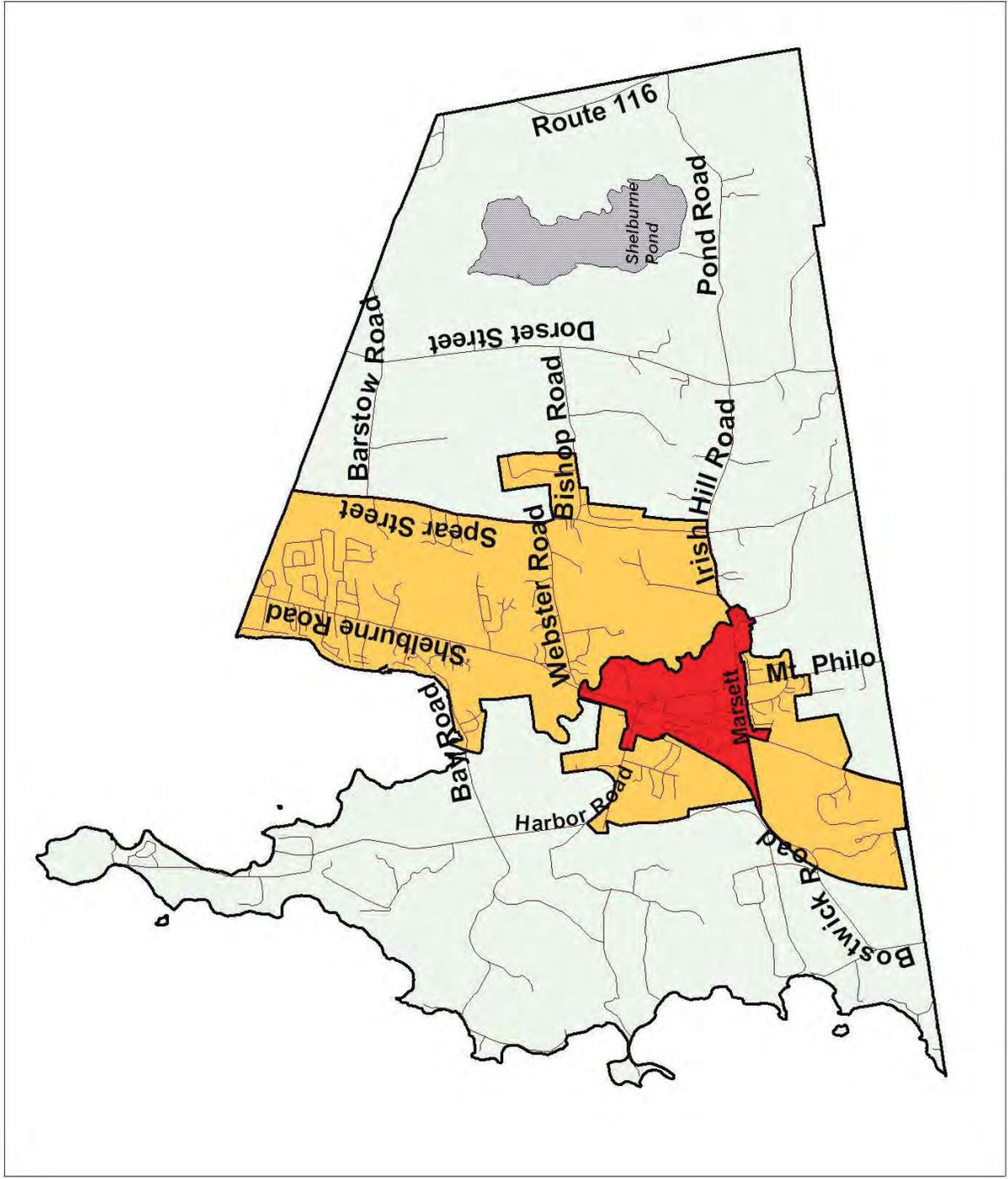
Map 1.

# Planning Areas

-  Growth Area 1
-  Growth Area 2
-  Rural Area
-  Roads
-  Shelburne Pond



September 26, 2011



Map 2.

# Village Planning Sub-Areas

 VILLAGE PLANNING AREA BOUNDARY

 Village Center Sub-Area

 Village Residential Sub-Area

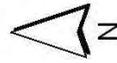
 Shelburne Falls Sub-Area

 Institutional/Museum Sub-Area

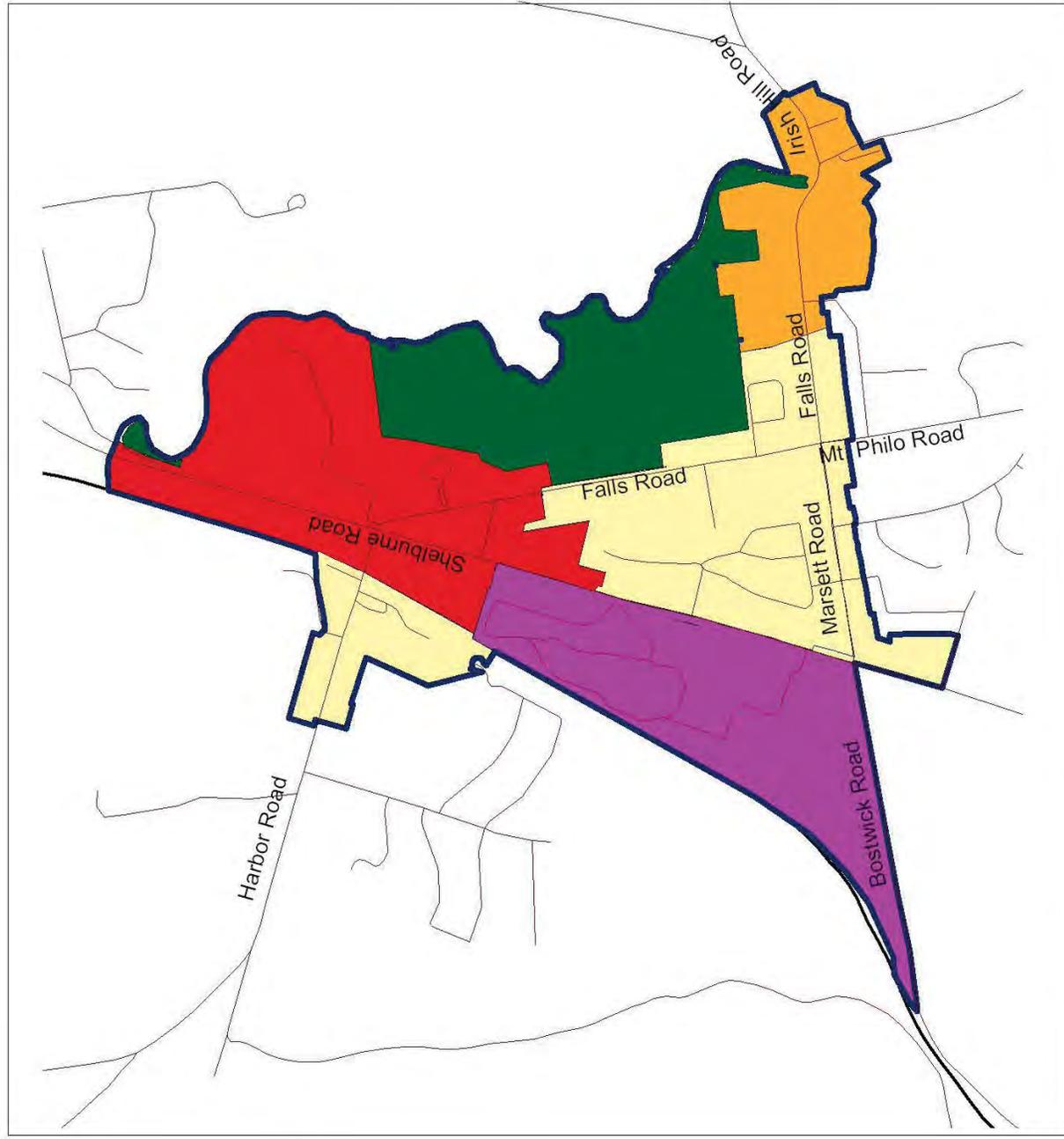
 Village Conservation Sub-Area

 Roads

 Railroad



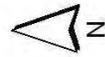
September 26, 2011



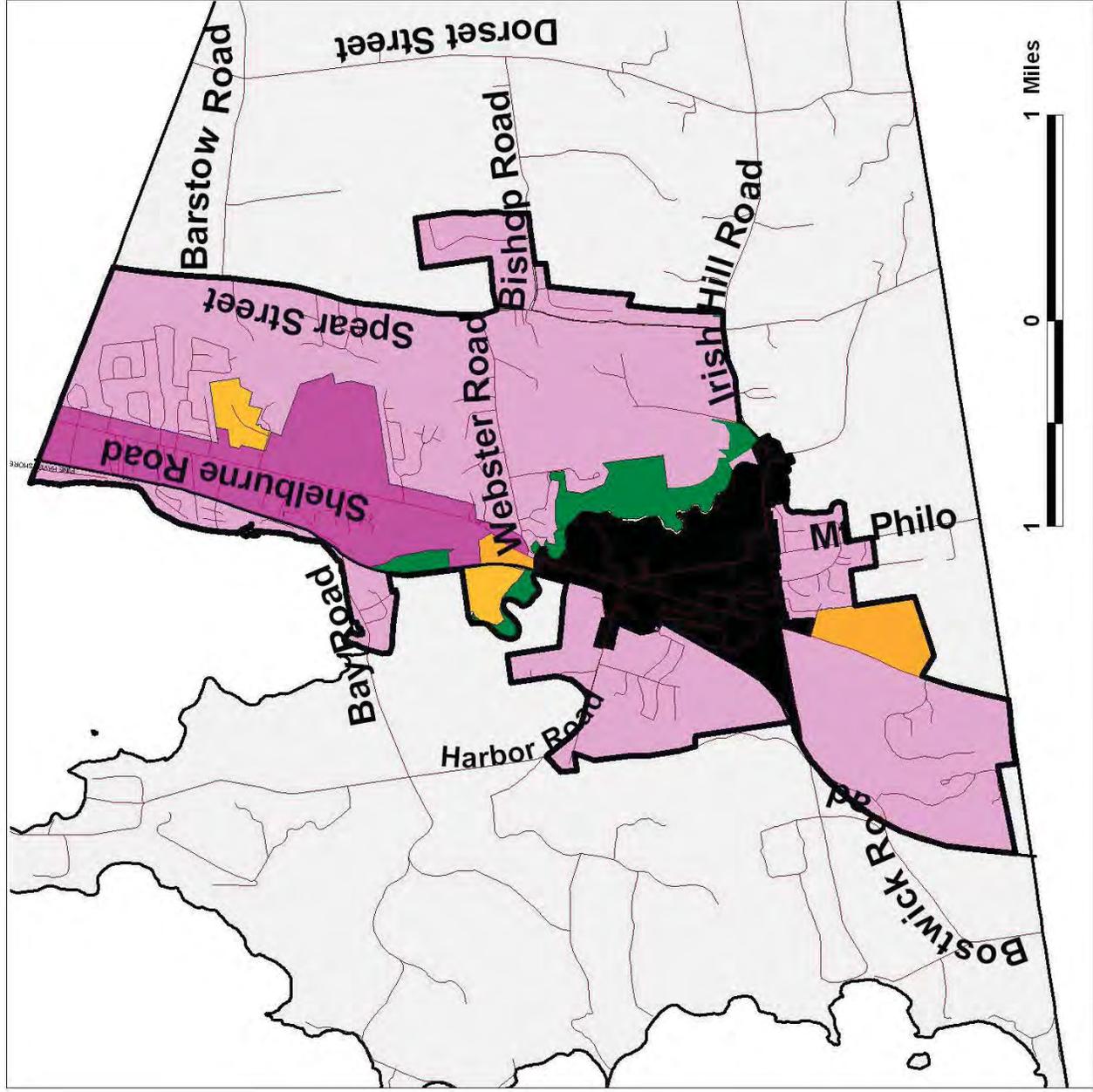
Map 3.

# Growth Area 2, With Sub-Areas

-  Growth Area 2 Boundary
-  Commercial / Industrial Sub-Area
-  Mixed Use Sub-Area
-  Residential Sub-Area
-  Cons-inside.shp
-  Village
-  Rural Area
-  Roads
-  Railroad



September 26, 2011



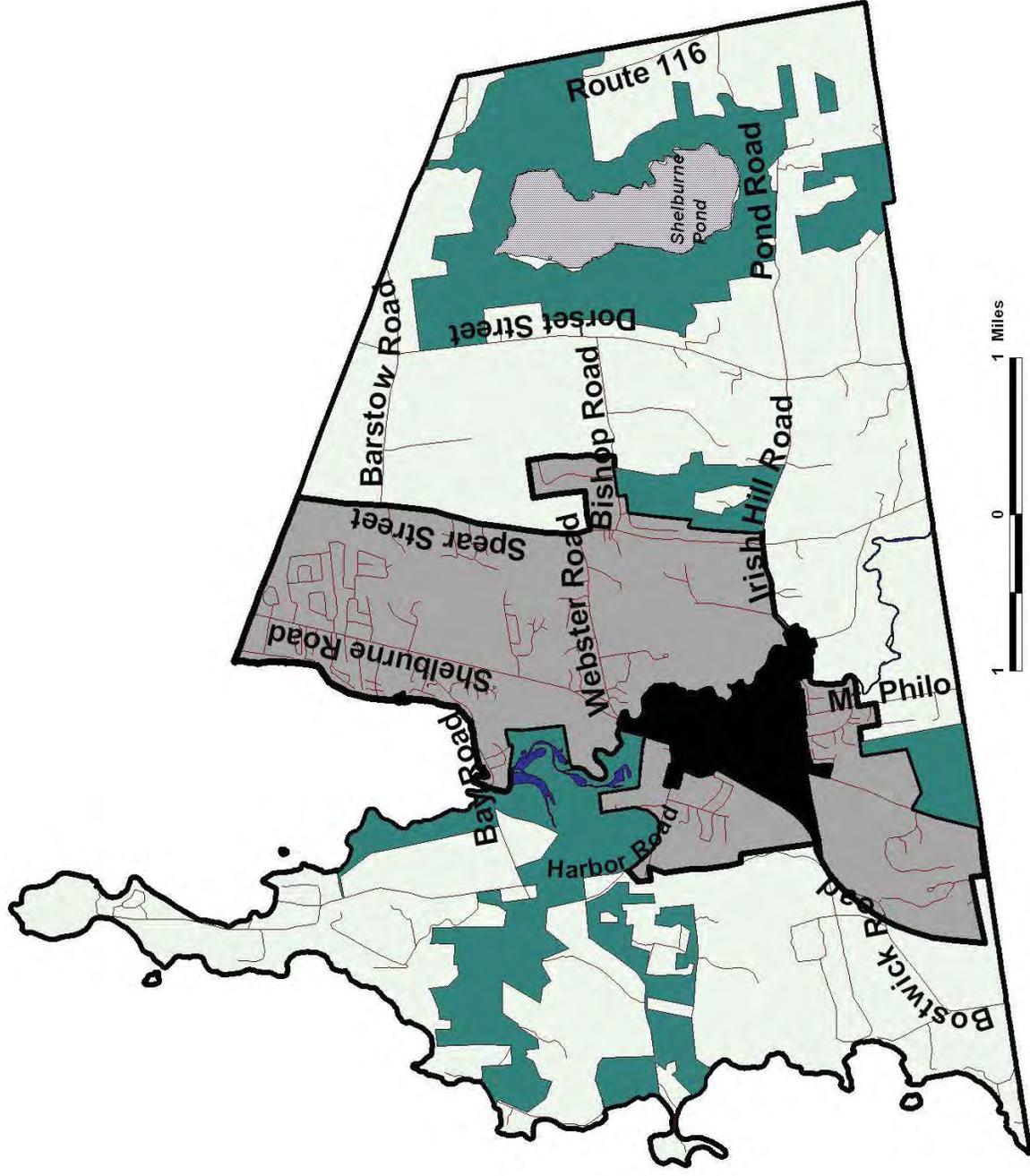
Map 4.

# Rural Area, With Sub-Areas

-  Rural Area Boundary
-  Rural Sub-Area
-  Conservation Sub-Area
-  Growth Area 2
-  Village
-  Roads
-  Shelburne Pond



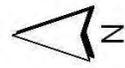
September 26, 2011



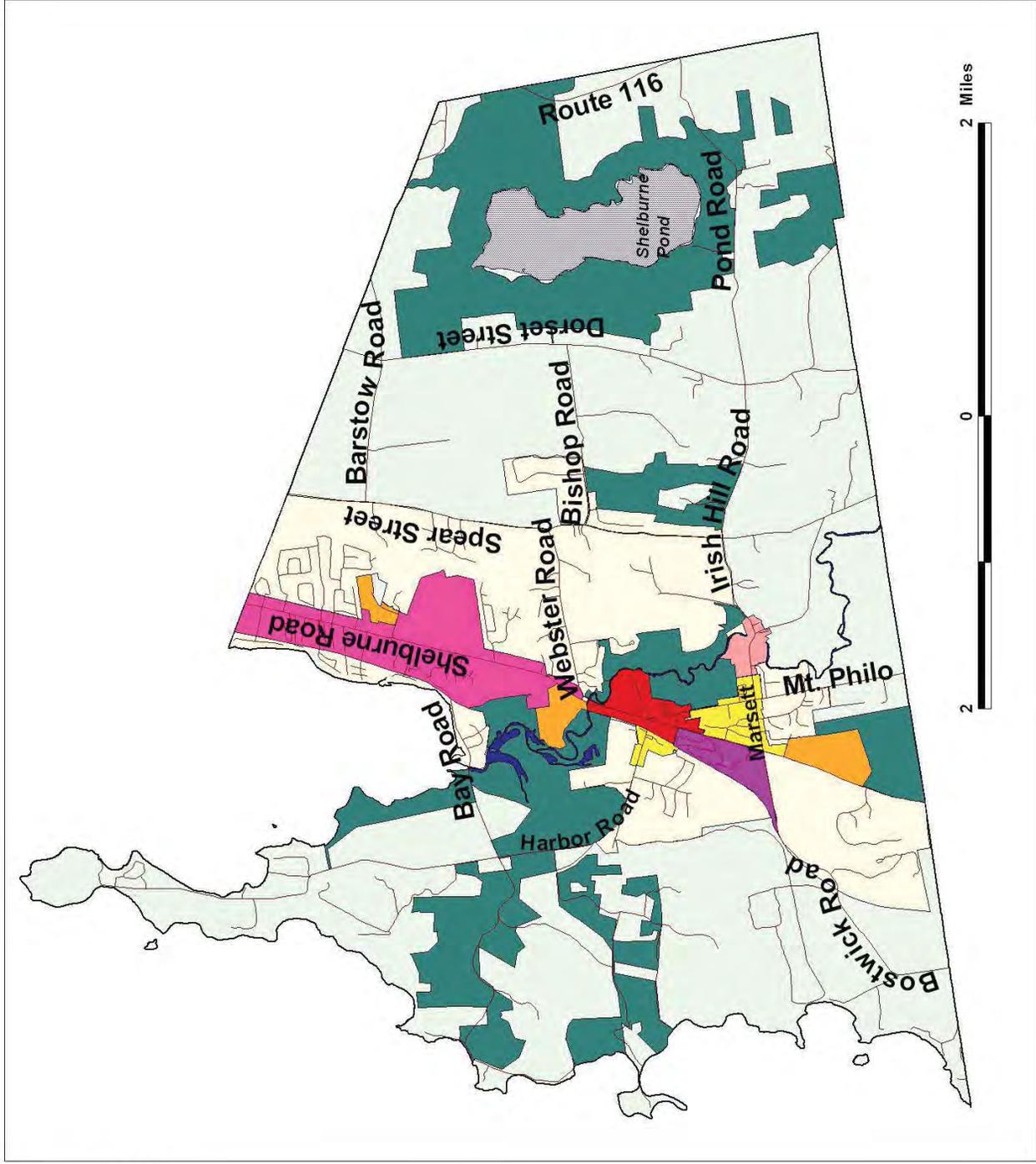
Map 5.

# Composite Future Land Use

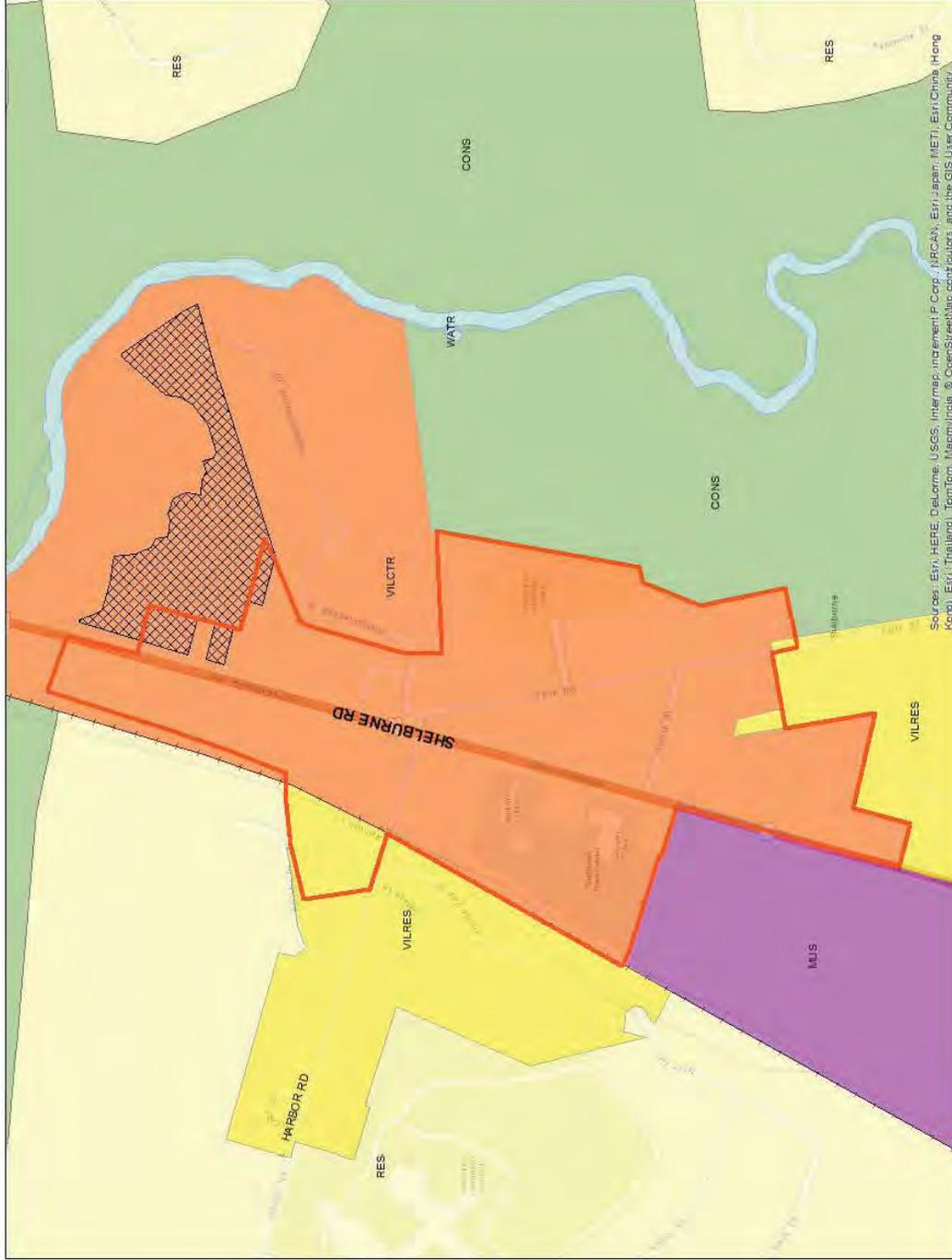
-  Village Center Area
-  Village Residential Area
-  Institutional/Museum Area
-  Shelburne Falls Area
-  Mixed Use Area
-  Commercial/Industrial Area
-  Growth Area 2 Residential
-  Rural Area
-  Conservation Area
-  Roads
-  Shelburne Pond



September 26, 2011



# Map 6. Boundaries of Designated Village Center and Vermont Neighborhood in Relationship to Planning Areas



Date: 10/22/2014



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Swire, (Taipei), TomTom, Mapbox, and the GIS User Community



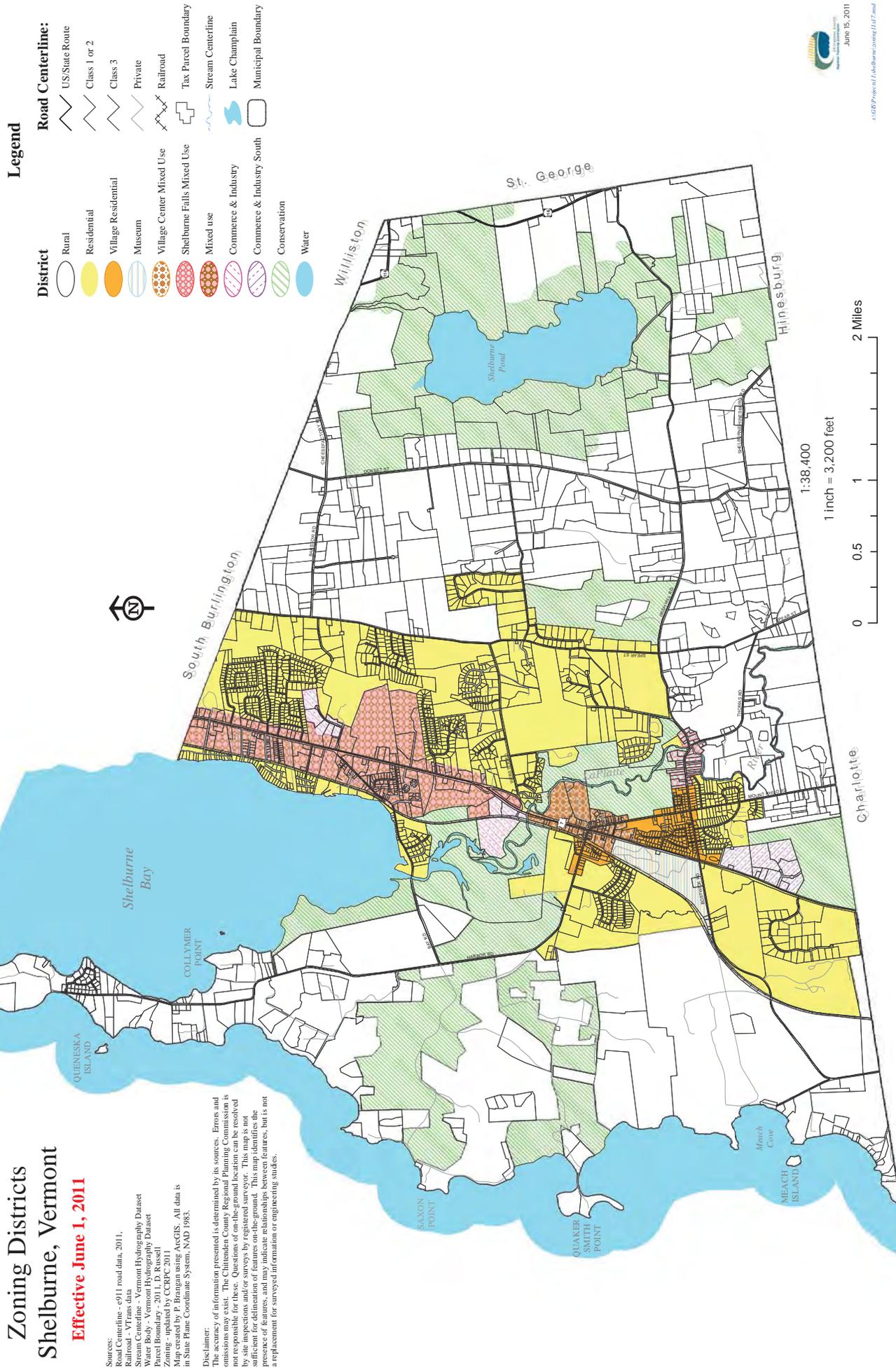
## ZONING MAP AND REGULATIONS

# Zoning Districts Shelburne, Vermont

**Effective June 1, 2011**

Sources:  
 Road centerline - e911 road data, 2011.  
 Railroad - VTTrains data  
 Stream Centerline - Vermont Hydrography Dataset  
 Water Body - Vermont Hydrography Dataset  
 Parcel Boundary - 2011, D. Russell  
 Zoning - updated by P. Branigan using ArcGIS. All data is in State Plane Coordinate System, NAD 1983.

Disclaimer:  
 The accuracy of information presented is determined by its sources. Errors and omissions may exist. The Chittenden County Regional Planning Commission is not responsible for these. Questions of on-the-ground location can be resolved by site inspections and/or surveys by registered surveyor. This map is not sufficient for delineation of features on-the-ground. This map identifies the present zoning of parcels and other geographic features, but is not a replacement for surveyed information or engineering studies.



## ARTICLE VIII: VILLAGE CENTER DISTRICT

**800 Purpose.** This is the central, most compact, mixed-use core of the Village. It is intended to accommodate the variety of retail and office uses, government facilities, residential uses, churches and schools and other uses that serve the community while enhancing the pedestrian qualities of the area and, as reasonably practicable, preserving and protecting the historic structures and patterns located in the village. This area is served by both municipal sewer and water and is close to available transit stops. Note that a portion of this district is included in the Village Core Overlay District.

### 810 Permitted Uses.

810.1 Single-family dwellings.

810.2 Two-family dwellings.

810.3 Multiple family dwellings.

810.4 Accessory Apartments located within an existing owner occupied single family dwelling or an existing accessory structure, containing not more than one bedroom, consisting of not more than 30 percent of the total habitable floor area of the original dwelling, and not requiring a change in the dimensions of parking areas.

810.5 Group/Residential Care Homes, operating under state licensing or registration, serving no more than 8 residents, and not located within 1,000 feet of another such facility.

810.6 Retail Sales uses without drive through facilities.

810.7 Pharmacies without drive through facilities.

810.8 Restaurants, without drive through services, and where all designated outdoor eating areas are screened from and adjacent residential properties.

810.9 Personal Service Shops.

810.10 Post Office stores.

810.11 Business or Professional Offices.

810.12 Medical or Dental Offices.

- 810.13 Banks or other financial institutions.
- 810.14 Public and private schools certified by the Vermont Department of Education and other educational institutions certified by the Vermont Department of Education, including craft schools.
- 810.15 Museums and associated facilities.
- 810.16 Libraries.
- 810.17 Licensed day care homes with 6 or fewer children.
- 810.18 Registered family day care homes.
- 810.19 Outdoor Recreation involving the use of no structures.
- 810.20 Community Farmers Market
- 810.21 Accessory uses.
- 810.22 Multiple uses where all proposed uses are permitted uses.

**820 Conditional Uses.**

- 820.1 Conversion of a single-family structure existing on March 16, 2009, to a two-family dwelling.
- 820.2 Mobile Home parks existing on January 14, 1986.
- 820.3 Accessory Apartments which:
  - A. Contain two bedrooms, or
  - B. Are located in structures that are not preexisting, or
  - C. Require an increase in the height or floor area of a preexisting structure, or
  - D. Require a new parking area or an increase in the dimensions of an existing parking area.
- 820.4 Elder Housing, in PUDs only, with a maximum of 40 dwelling units in a single structure.
- 820.5 Elder Care Facilities where rooms other than complete dwelling units are provided, in PUDs only, with a maximum of 100 bedrooms in a single structure.
- 820.6 Elderly Supportive Service Housing in PUDs only, with a maximum of 80 dwelling units in a single structure.

- 820.7 New Mobile Home Parks on lots of no less than 10 acres.
- 820.8 Hotels and Inns.
- 820.9 Bed and Breakfast with no more than four rooms to rent.
- 820.10 Gasoline stations existing on March 17, 2009.
- 820.11 Drive-Through Pharmacies.
- 820.12 Artist's Studios.
- 820.13 Veterinary Clinics.
- 820.14 Churches and other places of worship.
- 820.15 Licensed day care homes with more than 6 children.
- 820.16 Day Care Centers.
- 820.17 Municipal Offices
- 820.18 Police stations.
- 820.19 Fire/Rescue stations.
- 820.20 Public utility facilities.
- 820.21 Transit passenger stations.
- 820.22 Outdoor Recreation involving the use of no more than minor structures.
- 820.23 Cemeteries.
- 820.24 Multiple uses when one or more of the uses is a conditional use.

### 830 Dimensional Requirements.

#### 830.1 Minimum Lot size.

- A. Lot area minimum -
- Single-family dwellings 10,000 square feet  
or six times the total usable, above-ground temperature-controlled  
(heated and/or cooled) space within the structure, whichever is  
less.
  
  - Two-family dwellings 15,000 square feet  
or five times the total usable, above-ground temperature-controlled  
(heated and/or cooled) space within the structure, whichever is  
less.
  
  - Multi-Family dwellings 7,500 square feet per  
Dwelling unit  
or four times the total usable, above-ground temperature-controlled  
(heated and/or cooled) space within the structure, whichever is  
less.
  
  - Elder Housing/Housing for the elderly 3,500 square feet per  
dwelling unit
  - Elderly Supportive Service Housing 2,500 square feet per  
dwelling unit
  - Elder Care facilities 2,000 square feet per  
resident bedroom
  - Day care homes 10,000 square feet
  - Other allowed uses 15,000 square feet
  - Minimum lot sizes may be modified by the provisions of  
Section 1930.3, 1930.4, 1930.8, and 1930.9 of these  
regulations.
- B. Lot frontage minimum:
- Single-family dwellings 60 feet
  - Two-family dwellings 75 feet
  - Other permitted and conditional uses 100 feet
- C. Multiple uses involving non-residential use(s) plus 2 or  
more residential units - The area required for other  
permitted and conditional uses plus the applicable lot area  
minimum for each dwelling unit.

- D. Lot area maximum-
- Single-family dwellings on lots created after March 17, 2009 25,000 square feet
  - Two-family dwellings on lots created after March 17, 2009 37,500 square feet

830.2 Setback Requirements.

- A. Minimum Front yard setback:
- All uses 30 feet, or average of adjacent parcels
- B. Minimum Side and rear yard minimum setback:
- Single and two family dwellings and day care homes 15 feet
  - Other permitted and conditional uses 30 feet

830.3. Building coverage maximum

- All uses 20 percent

830.4 Height Restrictions.

- A. Structures outside Mixed Use PUDs
- All structures 35 feet

B. Structures within Mixed Use PUDs

- A Fire Protected Structure located at least 200 feet from the nearest edge of the Shelburne Road Right Of Way (ROW) shall have an average height not exceeding 35 feet and maximum height consistent with the following specifications:

<u>Location of Structure (point closest to ROW)</u>	<u>Maximum Height:</u>
i. between 200 and 250' from Shelb. Road ROW	35 feet
ii. between 250' and 300' from Shelb. Road ROW	40 feet
iii. more than 300' from Shelb. Road ROW	45 feet

For the purposes of this section, average height shall be calculated as a weighted average combining the height as defined in 2110.61 of each discrete section of the structure and the portion of the building footprint underneath that discrete section.

- All other structures 35 feet (maximum)

- 840 Planned Unit Development—Mixed Use.** A Planned Unit Development---Mixed Use may be permitted in the Village Center Mixed Use District in accordance with the provisions of Subsection 1930.4 of these Regulations, on sites that contain at least 40,000 square feet of land and have at least 100 feet of frontage on a public road.
- 841 Planned Unit Development—Mixed Use Density Bonus.** The number of dwelling units allowed in a PUDMU may, at the discretion of the Development Review Board, be increased by up to 25 percent of the number that the Development Review Board determines could be provided on the site in conformance with Sections 830.1, 1930.2, and 1930.4. Density bonuses shall be granted only for developments which demonstrate exceptional affordable housing creation and open space conservation as specified in sections 841.1 and 841.2 below and which reflect exceptional design in transition zones as specified in section 841.3 below. Transitions zones are designated as those portions of lots located between 200 and 400 feet from the edge of the Route 7 ROW.
- 841.1 Affordable Housing Creation. Exceptional Affordable Housing Creation shall be demonstrated when:
- A. At least two-thirds (2/3) of all units proposed to be constructed using an awarded density bonus consist of affordable housing units per the definition in this bylaw; and
  - B. Legal and other mechanisms acceptable to the Town are proposed to maintain the affordability of affordable housing units on a perpetual basis.
- 841.2 Open Space Conservation. Exceptional Open Space Conservation shall be demonstrated when:
- A. At least 35 percent of the total land area of the project is set aside as project open space;
  - B. Project open space is protected from future development by conveyance of fee simple ownership or easement to the Town of Shelburne or other qualified conservation organization; and
  - C. Project open space provides for non-motorized public access to a degree compatible with the natural resource values of the open space.
- 841.3 Exceptional Design. Exceptional Design shall be demonstrated when new construction is energy certification eligible and, further, when such construction is determined to be compatible with the surrounding area. In evaluating the compatibility of the development with the surrounding area the DRB, upon written

recommendation of the HP&DRC, shall consider the scale and general size of the proposed development or structure in relation to existing surroundings, including consideration of such factors as the height of buildings, building width, number of stories, roof type, facade opening (window, door, etc.), and architectural details.

- 850 Planned Unit Development---Residential.** A Planned Unit Development-Residential may be permitted in the Village Center District upon approval of the Development Review Board in accordance with Section 1930.3 of these Regulations.
- 860 Planned Unit Development---Museum.** A Planned Unit Development—Museum, may be permitted in the Village Center District upon approval of the Development Review Board in accordance with Section 1930.8 of these Regulations.
- 870 Redevelopment Planned Unit Development.** A Redevelopment Planned Unit Development may be permitted in portions of the Village Center District located within the Village Core Overlay upon approval of the Development Review Board in accordance with Section 1930.9 of these Regulations, on sites that contain at least 40,000 square feet of land and have at least 100 feet of frontage on a public road.
- 880 Site Plan Approval.** Site plan approval by the Development Review Board is required for all uses including any multiple use of a property in accordance with applicable portions of Section 1900 of these bylaws except one and two family dwellings on single lots, including accessory uses to such residences.

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## ARTICLE VI: VILLAGE RESIDENTIAL DISTRICT

**600 Purpose.** The purpose of this district is to continue to accommodate compact residential development in close proximity to the Village Center. This area is served by both municipal sewer and water and is close to available transit stops.

**610 Permitted Uses.**

610.1 Single-Family Dwellings.

610.2 Two-family dwellings.

610.3 Accessory Apartments located within an existing owner occupied single family dwelling or an existing accessory structure, containing not more than one bedroom, consisting of not more than 30 percent of the total habitable floor area of the original dwelling, and not requiring a change in the dimensions of parking areas.

610.4 Group/Residential Care Homes, operating under state licensing or registration, serving no more than 8 residents, and not located within 1,000 feet of another such facility.

610.5 Licensed day care homes with 6 or fewer children.

610.6 Registered family day care homes.

610.7 Artist's Studio

610.8 Outdoor recreation facilities with no structures.

610.9 Accessory Uses.

610.10 Multiple uses where all proposed uses are permitted uses.

**620 Conditional Uses.**

620.1 Conversion of a single-family structure built prior to June 1, 1981, to a two-family dwelling.

620.2 Accessory Apartments which:  
A. Contain two bedrooms, or  
B. Are located in structures that are not preexisting, or  
C. Require an increase in the height or floor area of a preexisting structure, or

D. Require a new parking area or an increase in the dimensions of an existing parking area.

- 620.3 Bed and Breakfast with no more than 4 rooms to rent.
- 620.4 Rooming houses with no more than 3 rooms to rent.
- 620.5 Post Office stores existing on March 17, 2009.
- 620.6 Business/Professional Offices on lots that front on Shelburne Road, Marsette Road, Harbor Road, or Falls Road.
- 620.7 Medical/Dental Offices on lots that front on Shelburne Road, Marsette Road, Harbor Road, or Falls Road.
- 620.8 Churches and other places of worship.
- 620.9 Licensed day care homes with more than 6 children. Licensed day care homes which were in operation prior to April of 1985, shall not be subject to conditional use approval unless they propose to increase the number of children they serve.
- 620.10 Outdoor recreation uses with minor structures customarily associated with such uses.
- 620.11 Cemeteries.
- 620.12 Multiple uses when one or more of the uses is a conditional use.

**630 Dimensional requirements.**

630.1 Minimum Lot size.

- A. Lot area minimum -
  - Single-family dwellings 12,500 square feet
  - Two-family dwellings 20,000 square feet
  - Day care homes 12,500 square feet
  - Other allowed uses 20,000 square feet
  - Minimum lot sizes may be modified per the provisions of Section 1930.3, and 1930.9 of these regulations.
- B. Lot frontage minimum:
  - Single-family dwellings 75 feet
  - Two-family dwellings 150 feet
  - Other permitted and conditional uses 150 feet

- C. Multiple uses involving non-residential use(s) plus 2 or more residential units - The area required for other of permitted and conditional uses plus the applicable lot area minimum for each dwelling unit.

630.2 Setback Requirements.

- A. Minimum Front yard setback:
  - All uses 30 feet
- B. Minimum Side and rear yard setback:
  - Single and two-family dwellings and Day care homes 15 feet
  - Accessory structures not exceeding 120 square feet in floor area 10 feet
  - Other allowed uses 30 feet

630.3. Building coverage maximum:

- All uses 20 percent

630.4 Height Restrictions.

- All structures - 35 feet

**640 Planned Unit Development-Residential.** A Planned Unit Development-Residential may be permitted in the Village Residential District upon approval of the Development Review Board in accordance with Section 1930.3 of these regulations.

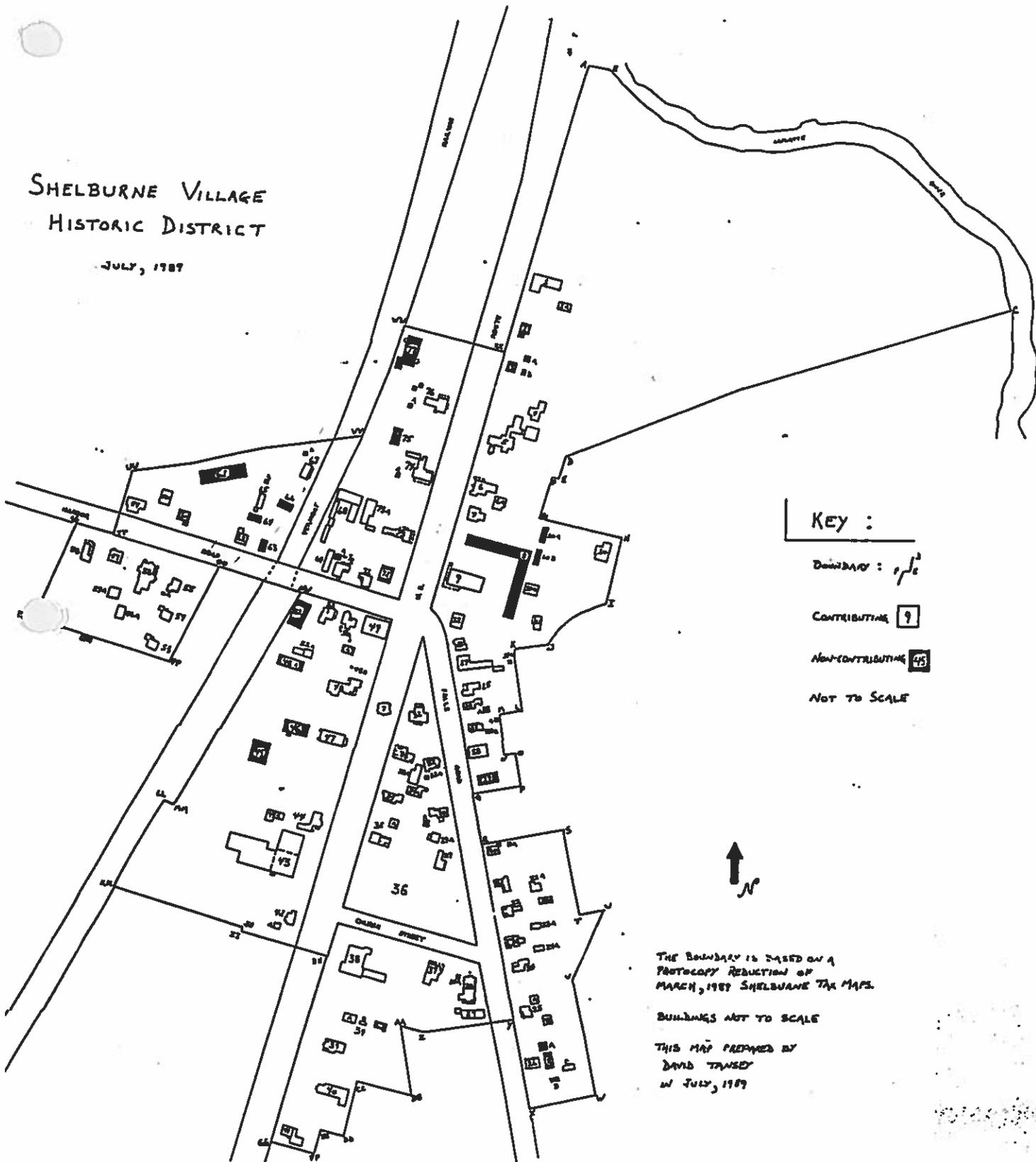
**650 Redevelopment Planned Unit Development.** A Redevelopment Planned Unit Development may be permitted in portions of the Village Residential District located within the Village Core Overlay upon approval of the Planning Commission in accordance with Section 1930.9 of these Regulations, on sites that contain at least 40,000 square feet of land and have at least 100 feet of frontage on a public road.

**660 Site Plan Approval.** Site plan approval by the Planning Commission is required for all uses including any multiple use of a property in accordance with applicable portions of Section 1900 of these bylaws except one and two family dwellings on single lots, including accessory uses to such residences.

**MAP OF NATIONAL REGISTER DISTRICT**

# SHELBURNE VILLAGE HISTORIC DISTRICT

JULY, 1987



### KEY :

BOUNDARY : 

CONTRIBUTING 

NON-CONTRIBUTING 

NOT TO SCALE



THE BOUNDARY IS BASED ON A  
PHOTOCOPY REDUCTION OF  
MARCH, 1987 SHELBURNE TAX MAPS.

BUILDINGS NOT TO SCALE

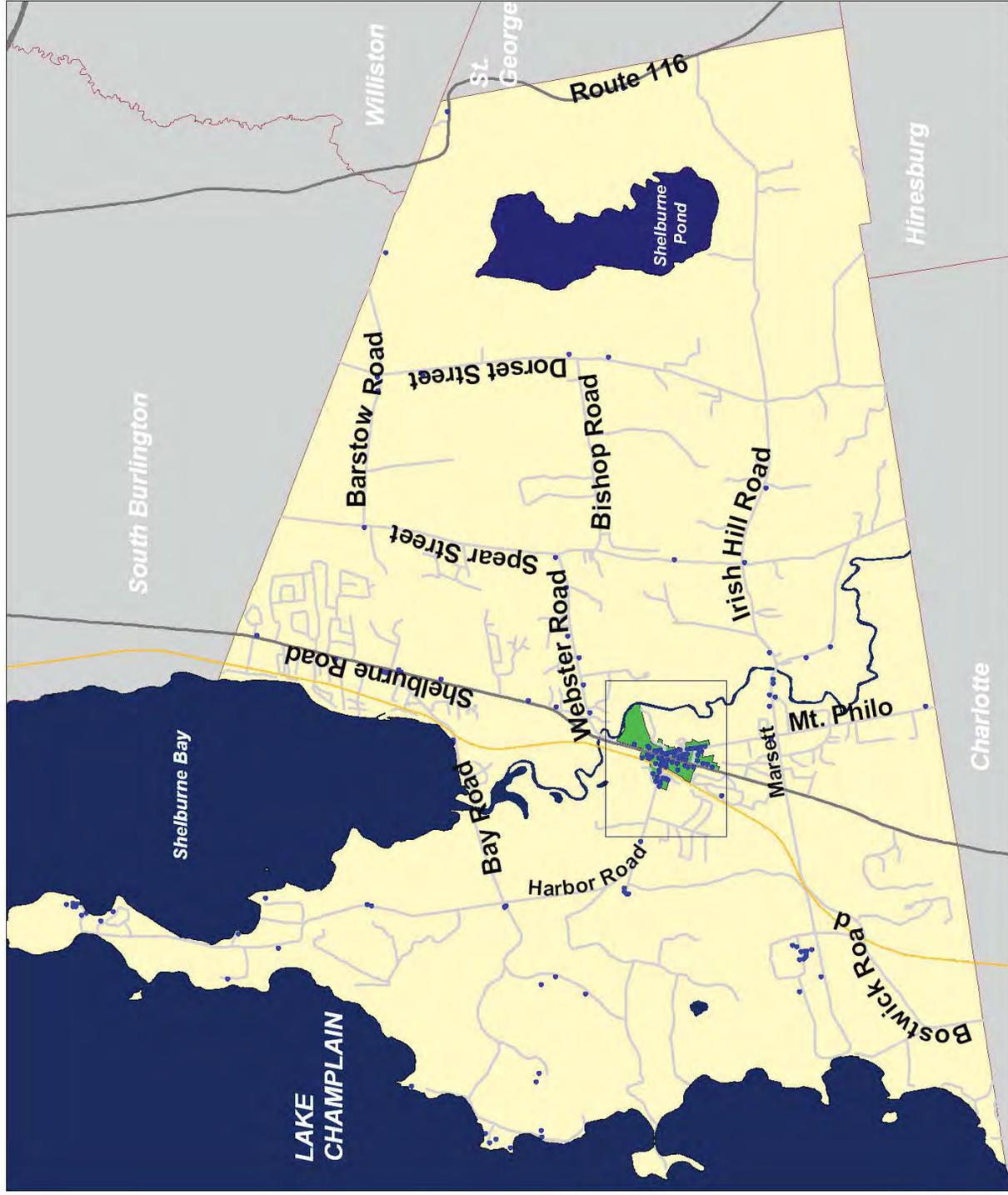
THIS MAP PREPARED BY  
DAVID TANSEY  
IN JULY, 1987

# Historic Resources

- Historic Sites and Structures
- National Register Historic District
- Streets and Roads
- Railroad
- Surface Waters



September 28, 2011



**MISCELLANY**

