

Agenda Summary **December 13, 2024**

Agenda Item No. B-2

Retail Cannabis Ballot Item Request

Summary: Justin Blehar of SJD Associates Vermont LLC has requested time on your agenda “To review and discuss the petition submitted on November 13, 2024, requesting inclusion of [an article] related to retail cannabis establishments on the March 2025 Australian ballot, and to consider a motion by the Selectboard to place the articles on the ballot.” His requested article is whether to opt-in to authorizing retail cannabis establishments in Stowe. Stowe resident Edward Cinque has also requested time to speak on the issue, following Justin Blehar.

The Selectboard established itself as the Local Cannabis Control Commission in September 2022 (resolution enclosed), and adopted final zoning amendments which regulate cannabis establishments in January 2024 (enclosed). The final step to authorize retail cannabis establishments, if desired, is a majority vote to permit such establishments at Town Meeting on Australian ballot.

While voters at the 2024 Town Meeting did not advance an article to move public questions to Australian ballot, 7 V.S.A. § 863(a)(1) requires that a vote to opt-in to cannabis establishments must take place on Australian ballot.

The referenced petition received 34 verified signatures (35 total) of Stowe registered voters. As of December 2, 2024 there are 4,550 registered voters. A binding petition would require 228 verified signatures of Stowe registered voters (or however many makes 5% as of the day of submission) submitted by January 16, 2025. Per 17 V.S.A. § 2642(a)(3)(A), Town Meeting warnings “shall also contain any article or articles requested by a petition signed by at least five percent of the voters of the municipality and filed with the municipal clerk not less than 47 days before the day of the meeting.”

Town Plan Impact: N/A

Fiscal Impact: Municipalities may not collect their own fees for local cannabis establishment licenses under Act 186 of 2022 (which established statewide cannabis licensing fees under 7 V.S.A. § 910). Instead, the Vermont Cannabis Control Board collects a \$100 “Local Licensing Fee” (7 V.S.A. §910(9)), which will be distributed to municipalities on a quarterly basis, regardless of whether a local CCC exists. However, 7 V.S.A. § 846(c) states that local license fees are only paid “after reduction of costs for administration and collection” by the Vermont Cannabis Control Board, so the total amount receivable by the Town will be somewhat less than \$100 per license.

In Vermont, retail cannabis sales are subject to a 14% cannabis excise tax (for non-medical cannabis sales), a 6% Vermont sales tax, and a 1% local option sales tax if applicable, for a total of 20% or 21%. In Stowe, 0.7% would be local revenue, with 20.3% being state revenue.

Recommendation: Discuss and advise.

Will Fricke

From: SJD <SJDllc@proton.me>
Sent: Thursday, November 14, 2024 5:15 PM
To: Will Fricke
Subject: [EXTERNAL] Dec 13 Selectboard Meeting Agenda Request - Intro
Attachments: Stowe Town Selectboard Retail Cannabis Deck.pdf

You don't often get email from sjdllc@proton.me. [Learn why this is important](#)

Will,

Pleasure speaking yesterday. I wanted to get you the base deck I finished up today based on our convo and will have the supporting materials to you tomorrow NLT noon.

The goal is to have this distributed to the Selectboard and to have an Agenda item listed that allows for a possible motion of 3 or more members to add Retail Cannabis as a ballot item for the March 2025 Town Meeting (I'll include this in a memo with the supporting material tomorrow).

Ideally I would be able to spend a few minutes providing public comment on the 13th as well and just highlighting a few things. I know at least one other Stowe resident will want to speak as well.

Thanks again for accommodating this and appreciate the assistance!

Best,

J

Justin Blehar - Managing Partner
SJD Associates Vermont LLC
Cell: 347-861-4137

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MEMORANDUM

To: Stowe Selectboard

From: Justin Blehar, SJD Associates Vermont LLC

Date: December 4, 2025

Subject: Request for Ballot Item Inclusion: Retail Cannabis Establishments

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Requested Articles for Ballot Inclusion

Article 1:

Shall the Town of Stowe allow licensed retail cannabis establishments to operate in the pre-zoned area identified by the town for cannabis establishments, as permitted under 7 V.S.A. § 863(a)(1)?

Yes ☐

No ☐

Legal Context and References

1. **7 V.S.A. § 863(a)(1):** Authorizes municipalities to allow licensed retail cannabis establishments through voter approval.
<https://legislature.vermont.gov/statutes/section/07/033/00863>
-

Rationale:

- **Empowers Voter Choice:** Allows residents to decide on the future of retail cannabis in Stowe.
- **Regulatory Preparedness:** The Local Cannabis Control Commission is already established and ready to handle local licenses upon voter approval.
- **Revenue Benefits:** Approval automatically enables a 1.5% local option tax, contributing to town revenues without requiring additional steps.

Conclusion:

We appreciate your consideration of this simplified request and look forward to discussing it at the upcoming December 11, 2024 meeting.

Best regards,

Justin Blehar

SJD Associates Vermont LLC

SJDLLC@proton.me



Economic & Social Benefits of Controlled Dispensaries in Stowe

Enhancing Local Revenue and Supporting Stowe's Wellness-Centric Brand

Provided by: SJD ASSOCIATES VERMONT LLC
A Veteran Owned Service Disabled, Vermont Domestic Limited Liability Company

11 December 2024 Selectboard Meeting



Agenda

- Social benefits
- Maintaining local character and oversight
- Economic opportunity: More than just cannabis
- Next steps to move forward. Motion Request & Council Request





Social Benefits: Job Creation & Alternative Healthcare

- Job Creation
- Alternative Healthcare
- Community Engagement
- Tax revenue can fund local programs & education, further benefiting the community.





Maintaining Stowe's Character & Oversight

- Local Cannabis Control Commision
- Stowe Zoning, Planning & Development Boards
- Vermont Cannabis Control Board (CCB)



Support for Local Business & Wellness Economy

- Boost Local Businesses
- Wellness Synergy
- Sustainable Growth





Stowe's Economic and Social Opportunity

A Chance to Capture Economic & Social Value

- Additional tax stream & liveable wage jobs
- Alt. & Supplemental health care options.
- Revenue retention & local control
- Enhance Stowe's brand: Maintain its identity.





Next Steps

- Selectboard motion to approve Retail Cannabis as a Ballot item for the March 2025 Town Hall.
- Stowe Cannabis Control Commission review of SJD LLC for issuance of a local license contingent on a Town Vote approving Retail Cannabis in March 2025.

POC: Justin Blehar - Managing Partner
Email: SJDLLC@proton.me



Town of Stowe Selectboard Resolution Establishing a Cannabis Control Board

Whereas, Title 7, Chapter 33 of Vermont State Statutes was Amended in 2020 to provide for the safe, equitable, and effective regulation of Adult-Use Cannabis; and

Whereas, 7 VSA § 863(b) provides that a municipality that hosts any cannabis establishment may choose to establish a cannabis control commission; and

Whereas, a Local Control Commission may issue and administer local control license for cannabis establishment within the municipality; and

Whereas, the commission may condition the issuance of a local control license upon compliance with any bylaw adopted pursuant to 24 VSA §4414 or ordinance regulating signs or public nuisances adopted pursuant to 24 VSA §2291; and

Whereas, the Local Control Commission may suspend or revoke a local control license for a violation of any condition placed upon the license pursuant to 7 VSA §863(b); and

Whereas, prior to issuing a cannabis establishment license the State Cannabis Control Board must ensure that an applicant has obtained a local control license if a municipality as established a Local Control Commission;

Now Therefore Be It Resolved, that the Town of Stowe Selectboard has voted affirmatively to form a Local Cannabis Control Commission effective as of the date of this resolution September 6, 2022.

Be it further resolved that, the Local Commission will be comprised of members of the Selectboard.

Be it further resolved, the Local Cannabis Control Commission of Stowe will:

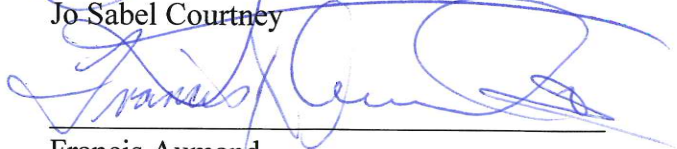
- a) Review information provided by the State Cannabis Control Board;
- b) Review information provided by applicants for the approval or denial of a local control license;
- c) Will communicate approval, denial, or conditions placed on the local control license to licensees and to the State Cannabis Control Board; and
- d) Comply with the provisions of 7 V.S.A. § 863 and Cannabis Control Board Rule 2.14.

Be it hereby resolved this 6th day of September, 2022


William Adams, Selectboard Chair


Jo-Sabel Courtney


Lisa Hagerty


Francis Aumand


Dominick Donza

- (3) Use of structures or land. An accessory on-farm business may take place inside new or existing structures or on the land.
- (4) Review; permit. Activities of an accessory on-farm business that are not exempt under Section 2.5 of these regulations require review by the DRB and can only be regulated with respect to: the adequacy of parking, traffic access, and circulation for pedestrians and vehicles; landscaping and screening; and exterior lighting. Accessory on-farm business are also subject to the performance standards of Section 4.17.

4.19 Outdoor Seating for Restaurants

- (1) Any new proposal for outdoor seating for a restaurant, or expansion of existing outdoor seating, will require conditional use approval from the DRB.
- (2) Outdoor seating is exempt from minimum parking requirements.
- (3) Restaurants may provide outdoor seating on another commercial property other than their own, including mixed-use properties.
- (4) Outdoor seating may be permitted within the town highway ROW or on public sidewalks with permission from the Selectboard.
- (5) Outdoor seating shall not interfere with pedestrian travel by maintaining a 5-foot-wide continuous pathway.
- (6) Outdoor seating shall not interfere with vehicular or emergency access.
- (7) Outdoor seating shall not reduce the number of on-site parking spaces.
- (8) Temporary tents used for outdoor seating may be erected without obtaining a zoning permit provided they comply with the following provisions:
 - A. Any tent erected shall not interfere with pedestrian or emergency access and shall not reduce the number of on-site parking spaces.
 - B. Tents shall adhere to the setback and building height requirements of the underlying zoning district.

4.20 Cannabis Establishments

- A. PURPOSE. The purpose of these provisions is to provide for the placement of cannabis establishments in suitable locations. Restrictions on the location, size, and operation of such facilities are necessary to protect residential neighborhoods, civic and educational institutions, and public gathering places from any adverse secondary impacts associated with cannabis establishments and to ensure that such uses operate in a safe manner. It is

also meant to maintain the character of Stowe as reflected in the Stowe Town Plan where scale is an important consideration.

- B. **APPLICABILITY.** The provisions of this section shall apply to all cannabis establishments within the Town of Stowe. Cannabis establishments are individually defined under Section 16.
- C. **USE.** Cannabis establishments including cannabis cultivator (indoor) [Tier 1-3], cannabis manufacturer (Tier 1-2), cannabis manufacturer (Tier 3), cannabis wholesaler, cannabis retailer, cannabis testing laboratory, and cannabis propagation cultivator are allowed within designated zoning districts as shown on Table 6.1 Permitted and Conditional Uses. Cannabis Cultivator (indoor) [Tier 4-6] is a prohibited use.
- D. **APPLICATION REQUIREMENTS.** In addition to the requirements of this section, applications for cannabis establishments shall include the information required under Section 2.6 and Section 3.8.
- E. **GENERAL STANDARDS.** The following standards apply to cannabis establishments in all districts in which such uses are allowed. Cannabis establishments are also subject to conditional use review under Section 3.7 of these Regulations. If there is a conflict between a standard in this section and a standard in another section of the Zoning Regulations, the more restrictive shall apply. The following standards are to be used by the Development Review Board in reviewing applications and shall serve as requirements for approval of such applications.
 - 1. **USE.** The retail sale of cannabis and/or cannabis products as defined in 7 V.S.A. §863(2) shall not be permitted as an accessory use or be permitted as an accessory to the manufacturing, cultivation, wholesaling, or warehousing of cannabis, or to other non-retail operations related to cannabis permitted by 7 V.S.A. §863. If a cannabis establishment wants to change to another type of establishment, such change of use must be reviewed and approved under these regulations.
 - 2. **HOME OCCUPATIONS.** Cannabis establishments shall not be permitted as a home occupation under Section 4.4.
 - 3. **SIZE LIMITATION.** A cannabis retailer shall not exceed 1,500 square feet in retail floor area. Retail floor area shall mean the floor area dedicated to the display and sale of cannabis and cannabis products and shall not include storage, employee areas, and other spaces not accessible to customers or members of the public.
 - 4. **LOCATION.** At a minimum, no cannabis retailer shall be located within the following distances from the specified land uses listed below. If any of the specified land uses listed below subsequently locates within the distance noted in Section 4.20(E)(4)(1) of a lawfully existing cannabis retailer, this provision shall not be used to eliminate or restrict that cannabis retailer.

- a) 500 feet of a licensed childcare facility or any public or private school certified by the Vermont Agency of Education. The distance shall be measured as the shortest straight-line distance between the nearest point of the property line in question to the nearest point of the property line where the cannabis retailer will be located.
 - b) 250 feet of a municipal park or recreational facility. For the purpose of these Bylaws, the Stowe Recreation Path is considered a recreational facility. Except for the Stowe Recreation Path, the distance shall be measured as the shortest straight-line distance between the nearest point of the property line in question to the nearest point of the property line where the cannabis retailer will be located. For the Stowe Recreation Path, the distance shall be measured from the nearest entrance or exit of the retail establishment to the centerline of the Stowe Recreation Path.
5. SEPARATION OF RETAIL CANNABIS ESTABLISHMENTS. Cannabis retailers not located within the same building must be separated from one another by at least 500 feet. The distance shall be measured as the shortest straight-line distance between the nearest point of the property line in question to the nearest point of the property line where the cannabis retailer will be located.
6. SIGNAGE & ADVERTISEMENT. Cannabis establishments may be identified with signage in accordance Section 14 of the Zoning Regulations and the following:
- a) Signage placed on the interior of windows or doors is prohibited except as follows:
 - 1. All public entrances must have a non-interior illuminated warning sign indicating that only those age twenty-one (21) or older may enter. Such sign shall be no larger than four (4) square feet in area.
7. DISPLAY OF MERCHANDISE & OUTDOOR STORAGE. Displays of merchandise and outdoor storage associated with a cannabis retailer shall be in accordance with this section.
- a) Cannabis plants, cannabis, cannabis products, and paraphernalia shall be screened from view from any exterior windows and must not be displayed in a location that would be visible from a public vantage point.
 - b) Outdoor storage of cannabis plants, cannabis, cannabis products, paraphernalia, or related supplies is prohibited.
 - c) Cannabis retailers must not conduct outdoor sales of any kind.
 - d) Any common areas shared with other uses or another cannabis establishment within the same building, including, but not limited to storage areas, hallways,

and building facilities, must be clearly identified as such within the application. Display and/or storage of cannabis plants, cannabis, cannabis products, and paraphernalia within common areas shared with other uses is prohibited.

8. LANDSCAPING & SCREENING. Landscaping and screening for cannabis establishments shall be required per the provisions of Section 4.6. of these Regulations.
9. SECURITY PLAN. Sufficient and appropriate security measures to deter and prevent unauthorized entrance into cannabis establishments and the theft of cannabis and cannabis products must be provided at all times.
 - A. Applications for cannabis establishments shall include a security plan that explains how the establishment will be secured including:
 - i. A description of how all points of entry (including but not limited to doors, windows, HVAC grates and roof accesses) will be secured; and
 - ii. A description of how all cannabis and cannabis products will be secured within the operation; and
 - iii. A description of on-site security provided during hours of operation; and
 - iv. A description of all alarm systems and automatic lighting or other systems that will be used to provide security after hours.
10. PERFORMANCE STANDARDS. Cannabis establishments must at all times comply with the performance standards and requirements set forth in Section 4.17 of the Zoning Regulations.
11. ADDITIONAL CONDITIONS. The DRB may impose such reasonable conditions on a permit as may be necessary to protect the public health, safety, and welfare, and obtain compliance with the requirements of these Regulations.

4.21 Mixed Use

Any combination of permitted or conditional uses may be allowed within a single building or on a single lot, subject to the following requirements:

1. Each of the proposed uses must be allowed as either a permitted or conditional use within the zoning district in which the mixed use is located. For mixed uses that include one or more conditional uses, conditional use review shall be required under Section 3.7; otherwise, site plan review under Section 3.16 shall be required.
2. The uses in combination must meet all applicable standards for the district in which the mixed use is proposed, including but not limited to minimum lot area, density, setback, and maximum building coverage and height requirements; or the mixed use must be part of a planned unit development (PUD) that has been approved in accordance with Section 13.

	RR-1	RR-2	RR-3 & 5	UMR	HT	MRV	MRC	VR	VC	LVC MC	WBCSD
Dwelling Unit, Two-family (Not more than two two-family dwellings/lot per footnote 3 of Table 6.3)	P	P	P	P	P	P	P	P	P	P	P
Dwelling Unit, Three & Four-family*	C	C	C	C	C	C	C	C	C	C	C
Dwelling Unit, Three & Four-family when served by municipal sewer and water infrastructure*	P	P	P	P	P	P	P	P	P	P	P
Group Home, Eight (8) Persons Maximum	P	P	P	P	P	P	P	P	P	P	P
Group Home, Over Eight (8) Persons					C	C	C	C	C	C	
Home Occupation	P	P	P	P	P	P	P	P	P	P	P
Mobile Home Park		C	C								
Tiny House (Not more than two per lot/per footnote 3 of Table 6.3)	P	P	P	P	P	P	P	P	P	P	P
Miscellaneous											
Accessory Use, Permitted Use	P	P	P	P	P	P	P	P	P	P	P
Accessory Use, Conditional Use	C	C	C	C	C	C	C	C	C	C	C
Agriculture/Farming	P	P	P	P	P	P	P	P	P	P	P
Communication Tower/Antenna											
Commercial	C	C	C	C	C	C	C	C	C	C	C
Residential	P	P	P	P	P	P	P	P	P	P	P
Gravel Pit	C	C	C								
Industrial PUD										C ¹	
Parking Lot	C	C	C	C	C	C	C	C	C	C	C
Parking Structure ²					C	C	C		C	C	C
Industry, Light				C	C	C	C		C	C	C
Planned Unit Development	C	C	C	C	C	C	C	C	C	C	C
Storage and Warehousing, Indoor										C	C
Storage and Warehousing, Outdoor											C
Storage, Outdoor, Accessory										C	C
Emergency Shelter	C			C	C	C	C		C	C	C
Cannabis Cultivator, Indoor (Tier 1, 2, 3)			C	C							C
Cannabis Manufacturer (Tier 3)											C
Cannabis Manufacturer (Tier 1-2)				C	C	C	C		C	C	C
Cannabis Retailer						C					
Cannabis Testing Laboratory	C			C	C	C	C	C	C	C	C
Cannabis Wholesaler											C
Cannabis Propagation Cultivator			C	C							

* Each residential category is a separate use. Although listed on the same line in the table, a change from three units to four units is a change of use.

¹ MC only

² Parking structures are an allowed use within a SKI-PUD subject to conditional use review.

Note: See Section 5.14 for Forest Reserve District Uses

- 16.17 Bar (Tavern): Premises used primarily for the sale or dispensing of liquor by the drink for on-site consumption and where food may be available for consumption on the premises, or portion thereof, as accessory to the principal use.
- 16.18 Bed and Breakfast: A single-family dwelling unit in which the resident owner or permanent dwelling occupant provides short-term lodging and meals to transient paying guests and/or staff.
- 16.19 Boarding House: A dwelling unit or part thereof in, which for compensation, provides seasonal or long-term housing and a common kitchen and living space. Boarding houses must provide rental terms of no less than thirty (30) days.
- 16.20 Boarder: An individual other than a member of the family, who occupies a dwelling unit or part thereof for a consideration, is furnished sleeping accommodations, and may be provided personal care, financial services, counseling or other such services.
- 16.21 Building: Any structure having a roof and intended for the shelter, housing or enclosure of persons, animals, vehicles, machinery, materials or equipment goods. See definition of “structure”.
- 16.22 Building Area: The ground area enclosed by the exterior surfaces of the walls of a building, together with the area of all covered porches and other roofed portions, including roofed or open patios and decks.
- 16.23 Building Coverage: That portion of a site, expressed as a percentage, occupied by all buildings or structures, (not including public utility structures), that are roofed or otherwise covered and that extend more than three (3') feet above the surface ground level. The building roof overhang up to 6 feet in length is not included as part of the building coverage area.
- 16.24 Building Height: Vertical distance measured from the average elevation of the proposed finished grade at the front or rear of the building to the highest point of the roof for flat and mansard roofs, and to the average height between the highest ridge and its contiguous eave for other types of roofs. On sloping sites the height will be measured on the uphill side.
- 16.25 Businesses and Trades Allied to the Construction Industry: Activities necessary for the operation and support of building construction, including excavation services, trades and building materials and property maintenance.
- 16.26 Cannabis. Cannabis shall have the same meaning as defined under 7 V.S.A. § 831.
- 16.27 Cannabis Cultivator (Indoor) [Tier 1, 2, 3]. A Cannabis Cultivator (indoor) [Tier 1, 2, 3] means a person who has a Tier 1, 2, or 3 cultivator license from the

Vermont Cannabis Control Board to grow cannabis plants indoors per 7 V.S.A. § 904.

- 16.28 Cannabis Cultivator (Indoor) [Tier 4, 5, 6]. A Cannabis Cultivator (Indoor) [Tier 4, 5, 6] means a person who has a Tier 4, 5, or 6 cultivator license from the Vermont Cannabis Control Board to grow cannabis plants indoors per 7 V.S.A. § 904.
- 16.29 Cannabis Establishment. Cannabis establishment means a cannabis cultivator, propagation cultivator, wholesaler, product manufacturer, retailer, or testing laboratory licensed by the Vermont Cannabis Control Board to engage in commercial cannabis activity per 7 V.S.A. § 861.
- 16.30 Cannabis Manufacturer (Tier 1-3). A Cannabis Manufacturer means a person who has a manufacturer license from the Vermont Cannabis Control Board to produce cannabis products from cannabis plants, including edibles, oils, and other such products per 7 V.S.A. § 906.
- 16.31 Cannabis Product. Cannabis product shall have the same meaning as defined under 7 V.S.A. § 831.
- 16.32 Cannabis Retailer. A Cannabis Retailer means a person who has a retailer license from the Vermont Cannabis Control Board to sell cannabis and cannabis products to the general public per 7 V.S.A. § 907. No other license type may sell to the general public.
- 16.33 Cannabis Testing Laboratory. A Cannabis Testing Laboratory means a person who has a testing laboratory license from the Vermont Cannabis Control Board to test cannabis and cannabis products obtained from a licensed cannabis establishment, dispensary, or a member of the public per 7 V.S.A. § 908.
- 16.34 Cannabis Wholesaler. A Cannabis Wholesaler means a person who has a wholesaler license from the Vermont Cannabis Control Board who may purchase cannabis and cannabis products from other licensees and sell them to licensees per 7 V.S.A. § 905.
- 16.35 Cannabis propagation cultivator or propagation cultivator. Means a person licensed by the Vermont Cannabis Control Board to cultivate cannabis clones, immature plants, and mature plants per 7 V.S.A. § 904.
- 16.36 Camp, Private/Seasonal: A dwelling unit that lacks one or more of the basic amenities or utilities required for all-year, all-weather occupancy, such as running water.
- 16.37 Campground, Commercial: An area that is occupied or intended or designed or improved for occupancy by transients using recreational vehicles, motor homes,

May 23, 2022

Comprehensive revisions including but not limited to the following:

Misc. revisions to Section 2.5; Revise Section 2.7, Conditional Use Administrative Review; Add Section 3.15 Damaged or Destroyed Structures; Modify Section 4.1 Accessory Dwelling Unit Provisions- define living area; Re-Write Section 4.8 Outdoor Lighting; Add Section 4.17 Performance Standards; Add Section 4.18 Accessory On-Farm Businesses; Add Section 4.19 Outdoor Seating for Restaurants; Section 6.1 remove prohibition of marijuana dispensaries; add prohibition on helipads; Misc. revisions to Table of Uses & Density Standards (add Tiny House provisions); Re-Write Section 7- Flood Hazard Overlay District; Modify Section 9 (RHOD)- Remove minor/major classification; Re-Write Section 10- Stowe Historic Overlay District; Modify Section 13 PUD/Increase General PUD to 10 acres; misc. revisions; Misc. revisions to Section 14- Signs; Add definitions for Farm/Qualifying Product/Tiny House/Parking Area; Misc. revisions; Add parcel to Forest Reserve District/ Modify RR1/LVC boundary to include the Commodores & RK Miles.

January 10, 2024 Comprehensive revisions including but not limited to the following:

Section 2.3 amendments to grant the DRB authority to hear and act on applications seeking site plan review; Section 2.5 exempt trail surface structures and technical trail features, demolition of fences and small accessory structures, and trail kiosks; Section 2.11 amend the definition of interested person per Act 47 and limit character of the area appeals; Section 2.14(4) limit DRB decisions related to housing developments and housing elements of mixed-use developments per Act 47; Section 3.4 exempt dumpsters and recycling bins from setback requirements; Section 3.6 amend the split lot provisions; Section 3.7 enhance the existing conditional use standards; Section 3.14 amendments to the existing affordable housing density bonus to reflect Act 47 and create standards for the “bonus floor”; Section 3.16 Site Plan Review (New Section) establish a new site plan review section by reformatting existing language; Section 4.1 improve clarity and function of the regulations and to increase the maximum habitable floor area for accessory dwelling units; Section 4.12 add emergency shelters as a protected public use per Act 47; Section 4.20 Cannabis Establishments (New Section) incorporate the interim regulations pertaining to cannabis establishments; Section 4.21 Mixed Use (New Section) create a new mixed-use section to provide clarity on the review requirements pertaining to developments containing a mix of uses and multiple buildings on a single parcel of land;

Section 4.22 Drive-Through Facilities (New Section); Section 4.23 Areas Served by Municipal Water and Sewer Infrastructure (New Section) establish criteria to be applied to projects which meet the new definition of ‘Area Served by Municipal Sewer & Water Infrastructure’ per Act 47; Section 6.1 amendments to allow drive-through facilities for pharmacies, expand the existing prohibition of helipads to all landing areas and remove the allowance of ten trips per year, remove outdoor cannabis cultivation as a prohibited use per recent changes in state law; Table 6.1 incorporate cannabis establishments, add emergency shelter as a conditional use in commercial zoning districts and RR1, change the review process for developing more than two residential buildings on a single lot from conditional use to either PRD or subdivision review, allow three and four unit buildings as a permitted use in areas served by municipal water and sewer infrastructure per Act 47; Table 6.2 reduce dimensional requirements in designated growth areas and related zoning districts; Table 6.3 modify the density requirements per Act 47 and within LVC, VC-10, MRV, and MRC districts; Section 10.9 clarify instances in which the DRB can waive building height in the Stowe Historic Overlay District; Section 13.4 eliminate the minimum required land area for PRD in the HT, VC, LVC, MRV, MRC, and MC districts; Section 14.11 modify language to allow temporary portable (sandwich board) signs on attached decks and porches; Section 15.1 reduce parking requirements for residential uses; Section 15.2 add affordable housing developments and employer transit passes as special circumstances in which the DRB can modify the parking requirements; Section 13.6 add cannabis testing laboratories and emergency shelters as allowed uses; Section 16 modify existing definitions of accessory dwelling unit, affordable housing, boarding house, boarder, lot area/lot size, two-family dwelling, and multi-family dwelling. Create new definitions for affordable housing developments, cannabis establishments, emergency shelter, landing area, mixed use development, and area served by municipal sewer and water infrastructure per Act 47.

The 2024 zoning amendments were prepared with funding by a Bylaw Modernization Grant from the Vermont Department of Housing and Community Development (DHCD).