

TOWN OF DERBY

~ Planning & Zoning Department ~

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TOWN OF DERBY NOTICE OF PUBLIC HEARING

Notice is hereby given to the residents of the Town of Derby, VT that the Derby Planning Commission will hold a public hearing in the Selectboard Room of the Municipal Building, 124 Main Street Derby Center on Monday May 23, 2022 at 6:30 p.m. This hearing will be held for public review of and comment on the revised zoning bylaw pursuant to Title 24 VSA, Chapter 117.

The purpose of the proposed zoning bylaw revision is to provide for the future growth and development of the Town of Derby. The revised zoning bylaw, if and when adopted, will affect all lands within the Town of Derby.

Proposed Zoning Bylaw Amendment

Complete rewrite of Subdivision Regulations §701-703

ARTICLE 7: SUBDIVISION, PRD, PUD, AND MOBILE HOME PARK REGULATIONS

§701 Subdivision Review

- 701.1 Applicability
- 701.2 An Overview of the Subdivision Review Process
- 701.3 Application Procedures
- 701.4 Boundary Line Adjustment
- 701.5 Preliminary Plan Review (Major Subdivisions Only)
- 701.6 Final Plan Review (All Subdivisions)
- 701.7 Layout and Marking of Lots
- 701.8 Streets
- 701.9 Utilities
- 701.10 Site Preservation
- 701.11 Excavation and Grading
- 701.12 Waivers

§702 ~~704~~ Planned Residential Developments (No Changes)

§703 ~~705~~ Planned Unit Developments (No Changes)

§704 ~~706~~ Supplemental Rules and Regulations for PRD and PUD (No Changes)

§705 ~~707~~ Mobile Home Parks (No Changes)

§706 ~~708~~ Compliant Non-conforming Mobile Home Parks (No Changes)

Added the following definitions to §1102 Term Definitions

Subdivision of Land: The division of a lot, tract, or parcel of land into two or more lots, tracts, parcels, or other division of land for sale or development. ~~These divisions must conform to minimum lot size and requirement of the existing zone.~~ **Boundary line adjustments (i.e. the relocation of lots lines between two or more lots, tracts, or parcels) are also considered subdivisions.**

Boundary Line Adjustment: *The transfer of property by deed to a respective owner or owners of contiguous property for the purpose of adjusting a boundary line and not for the purpose of creating an additional lot or parcel.*

Cannabis Cultivation: A lot or building used by a person licensed by the State to engage in the cultivation of cannabis.

Cannabis Manufacturing: A building used by a person licensed by the State to manufacture cannabis products.

Cannabis retail: A building used by a person licensed by the State to sell cannabis and cannabis products to adults 21 years of age and older for off-site consumption.

Cannabis testing laboratory: A building used by a person licensed by the State to test cannabis and cannabis products.

Cannabis Wholesale: A building used by a person licensed by the Stat to purchase, process, transport, and sell cannabis and cannabis products.

Added Cannabis Cultivation, Cannabis Manufacturing, Cannabis Retail, Cannabis Testing Laboratory, and Cannabis Wholesale as permitted uses to §206.1 Industrial (IND), §206.2 Commercial/Industrial (COM/IND), and §206.3 Commercial (COM) zoning districts

Added the following Parking requirement to §402.7(D) Parking Space Counts per Use.

Cannabis Retail – 1 per 200 sq. ft. gross floor area.

Cannabis Manufacturing and Cannabis Testing Laboratory – 1 per employee on major shift & 1 per 300 sq ft of gross office space.

Cannabis Cultivation and Cannabis Wholesale – 1 per employee on major shift & additional spaces per DRB finding.

Added the following to §212.2 Lighting Design Requirements

§212.2(A) The installation or replacement of all outdoor lighting fixtures shall require a permit except for the following:

- 1) One- and two-unit residential structures,
- 2) Active farms, and
- 3) Holiday lighting.

Zoning Map Change – Change the portions of parcels TRD50001J7T (Lake Salem Holdings LLC 371 Hayward Rd) and TRD50001J7T1 (Steven & Jessica Patenaude 575 Hayward Rd) that are in the Shoreland (SD) district to Rural Residential (RR). This will make both parcels completely within the Rural Residential (RR) district.

Copies of the full text of the proposed zoning bylaw revisions may be obtained from the office of the Zoning Administrator. Dated in Derby, Vermont, May 4, 2022.

Derby Planning Commission