Town of Fayston

2024/2025 Land Use Regulation By-Law Amendments Revision List

Fayston Planning Commission

Updated 09/08/25

1) **Article 4. Section 4.1(B) –** Removed section to be in conformance with *24 V.S.A. § 4412(1)(E) and 24 V.S.A. § 4303 (38)* in size and review of Accessory Dwelling Units.

2) **Article 2. Tables 2.2(C)(1), 2.3(C)(1), 2.4(C)(1), 2.5(C)(1) and 2.6 (C)(1)-** Removed from a Conditional Use in these districts per the removal of *Section 4.1(B)* in the above amendment. Still a Permitted Use in the districts.

3) **Section 4.8(C)(9)-** Changed (see Section 3.11) to (see Section 3.12)- **Typo Correction**

4) **Section 3.6(D)(3)-** Changed (set forth in in Section 3.13) to (set forth in Section 3.14) – **Typo Correction**

5) **Section 5.2(6)-** Added e) Site Plan at least 24" x 36" in size. May be needed for the DRB to review these site plans anything smaller could be difficult to read.

6) **Sections 2.1(E)(3), 2.2(E)(3), 2.3(E)(3), 2.4 (E)(3), 2.6(E)(1) & 2.7(E)(3)-** Changed "*Bicycle trails shall be constructed using appropriate standards and practices such as those outlined in the guide developed by NYDEC. (http://www.faystonvt.com/wp-content/uploads/ APA-MTBGuidance8-10-17.pdf)"* to *"Trails shall be constructed using standards and practices found at the Vermont Agency of Natural Resources at the following website https://fpr.vermont.gov/recommended-trail-standards or contact the Zoning Administrator for more information."* The existing link in the LURs is broken link and needed to be replaced.

In 2.4 (E) (3) the rural residential district it will read:

(1) Outdoor recreation facilities allowed as a permitted use in this district are limited to hiking trails, bicycle trails, horseback riding trails, cross-country ski trails, VAST trails, trail shelters, warming huts, and tent platforms. All other outdoor recreation facilities require conditional use approval. Trails shall be constructed using standards and practices found at the Vermont Agency of Natural Resources at the following website https://fpr.vermont.gov/recommended-trail-standards or contact the Zoning Administrator for more information.

7) **Article 10 Trail Definition -** Added a definition of trail, previously there was no definition.
Trail: An improved traveled way established through construction for and not limited to hiking, walking, bicycling, cross-country skiing, snowmobiling, all-terrain vehicle riding, and horseback riding. Trails may be used for recreation, transportation, and other compatible purposes. It is recognized that there are a range of types of trails and paths from minimally developed through highly developed. A Trail may be minimally, moderately, or highly developed, while a Path is a subtype that is minimally developed. See also the definition of a Path in Section 10.

8) **Section 9.2(A)(8)-** Created an exemption for trails if the correct guidelines are met.

Section 9.2(8) will read as "The building and rebuilding of trails using standards and practices found at the Vermont Agency of Natural Resources at the following website https://fpr.vermont.gov/recommended-trail-standards **"**

9) **Section 9.4(A)-** This section was rewritten to add the requirements of a RBES/CBES to receive a Certificate of Occupancy in reference to 24 VSA 4449 (a)(2)

10) **Section 4.3 Campers and Temporary Shelters-** Rewritten to clarify the term park vs use of. Also to allow the use of certain utilities.

11) **Article 10 Contiguous Land and Lot Definition-** The definitions of Lot and Contiguous Lands in the LURs are conflicting about whether a road right of way creates two lots. Viewing past PC history where this Commission decided that road right of way created two lots the PC clarified the ambiguity of these definitions. They realized when the LURs were updated the update to Contiguous Land did not get updated with Lot. The PC clarified the intent of road to mean Municipal or State Highway.

Contiguous Land. (1) A parcel of land contained within a single, unbroken parcel boundary (a division of land by a right-of-way, shall not render such land noncontiguous); or (2) two or more parcels that share a common parcel boundary or point.

Lot. (1) Land of at least sufficient size to meet minimum regulations for use, open spaces, frontage access; (2) a portion of land in a subdivision or plat that is separated from other portions by a property line (see also Contiguous Lands). Land separated by a State or Municipal Highway owned by the same person may be considered to be two lots.

12) **Article 4 Section 4.1(A)-** Updated this Section after previous amendment in Item 1 of this list. This amendment will allow the Bylaws to be more permissive of ADU Size per 24 V.S.A. 4412 (1)(F)