

**MINUTES
OF THE PLANNING AND ZONING BOARD**

Foxfire Village Hall
Regular Meeting

6:00pm

Tuesday, February 17th, 2026

1. Call to Order:

Chairperson Jarusinski called the meeting to order at 6 p.m.

2. Record members/others present

Members present: Jarusinski, Kuebler, McCue, with Montes Absent – Several members of the Foxfire Village present

3. Approval of Minutes of Regular Meetings

Jarusinski made motion to approve January 20, 2026 meeting minutes, seconded by McKue, all approved – none opposed

4. Public Comment

There was no public comment.

5. New Business

Planning and Zoning Board Size-

Board Size Recommendations

- Discussion on moving to a seven-member board
- Some members indifferent, seeking more input
- Jarusinski presents research on board sizes in North Carolina
- Average board size is five for small towns
- Seven-member boards for growing towns with larger ETJ

- Nine-member boards for larger municipalities with heavy development

ETJ Representation

- Jarusinski discusses the Board of Adjustment and its role
 - Board of Adjustment handles requests for exceptions to rules
- Jarusinski conducted research on ETJ populations in Moore County
 - Found discrepancies in ETJ population numbers
 - Estimated ETJ population for Foxfire around 700, not 1,000
 - ETJ represents about 31% of Foxfire's total population
- McCue shares insights from Aberdine's planning board
 - They are unaware of their ETJ population
- Jarusinski emphasizes the importance of knowing ETJ demographics for representation

Planning Board Composition in Aberdeen

- The planning board consists of seven members: six from the town and one from the ETJ, with two alternates.
- McCue expresses concern about the role of alternates, stating, "I think would be a horrible job."
- The state statute requires three members on a planning board, while the local ordinance specifies five.
- Council member Gilroy's experience as a former planning and zoning board member and chair is acknowledged.
- A quorum of three out of five members is 60%, while a quorum of four out of seven would be 57%.
- McCue believes five members is the appropriate number for effective representation.
- There is a suggestion to include two ETJ members on the five-member board for better community representation.

Appointment Process

- The current process for board appointments involves the administrator and the mayor, who present candidates to the village council.
- McCue notes that representation can be handled by the Village Council in appointment of PZ Board members
- McCue notes a lack of visibility into the number of applications for board positions.
- Jarusinski provided historical context is provided about a more involved interview process for new board members in the past.

Commitment and Community Involvement

- difficulty in recruiting members for the planning and zoning board due to the time commitment required highlighted.
- Concerns are raised about the challenges of maintaining a five-member board, including past quorum issues.
- Jarusinski supports a five-member board but suggests flexibility in the fifth member's designation, potentially allowing for an ETJ representative.

-Jarusinski supports a seven member board only if the Planning and Zoning board and BOA combined and traditional BOA disbanded

Recommendations:

-Keep Planning and Zoning Board a 5 person board

-Change board composition to

- 3 Village Resident Members
- 1 ETJ Rep Member
- 1 Flex member that can be either ETJ or Village Resident

Discussion on Short-Term Rentals-

- New section added to the North Carolina statute in 2022 regarding zoning and restrictions.

- Aim to clarify where restrictions exist and where they do not.

- Current definition of short-term rental is 90 days or less.

Legislative Challenges

- Senator McGinness aims to limit regulations on short-term rentals.

- Concerns about neighbors having multiple short-term rentals.

- McKue states "I wouldn't want the person the neighbor to the left and the neighbor to the right and the neighbor across the street to all be short-term rentals."

Enforcement Issues

- Lack of registration process for short-term rentals in the village.

- Difficulty in enforcing the 180-day regulation.

- "Our regulation of 180 days is ridiculous because we can't enforce it."

- Need for a special use permit to manage short-term rentals.

Community Concerns

- Risks associated with transient populations in residential neighborhoods.

- Concerns about safety and anonymity of short-term renters.

- Discussion on the need for more stringent regulations similar to those in Pinehurst

Discussion on Ordinance and Council Recommendations

- Suggestion to present to the council regarding current ordinances.

- No 180-day limit currently exists; reassurance given that there is no need for concern.

- Consideration of restrictions in RA5 or RM zones.

Research on Resort Communities

- Proposal to examine rules from similar resort communities like Pinehurst.

- Acknowledgment of previous research on rules which changed post-litigation.

- Agreement on the need to table the discussion for further research on individual towns.

Special Use Permit

- Support for the idea of a special use permit to track short-term rentals.

- Mention of parking requirements and regulations in Crossfire Village.

- Special use permit deemed feasible according to the UNCC School of Government.

Concerns about Legislation

- Discussion on Senator McInness's proposed legislation focusing on individual property rights.
- Concerns raised about the impact on community character and neighborhood dynamics.
- Example given of issues caused by multiple short-term rentals in a cul-de-sac.

Distinction Between Rental Types

- Question raised about commercial short-term rentals versus personal rentals.
- Senator McInness's legislation could eliminate distinctions between rental types.
- Importance of understanding the difference between community members and commercial entities.

Research and Community Input

- Suggestion to gather more information from Pinehurst on managing short-term rentals.
- Acknowledgment of Pinehurst's successful tourism management over the years.
- Need for further research and potential special meetings to discuss findings.

Community Comparisons

- Speaker discusses preference for visiting Pinehurst and Southern Pines over VAS or Pine Bluff due to community similarities.
- Suggests dividing responsibilities for community analysis: "If you want to pick Pinehurst, that's fine. I'll take Southern Pines."

Short-Term Rentals

- Recommendation to review the Schroeder case analysis by the UNC School of Government for insights on current laws regarding short-term rentals.
- Uncertainty about support for ongoing litigation compared to 2021.

Board recommends to table this Discussion to March pending further research –

Signage Discussion

- Village administrator requested review of feather signs due to complaints.
- Feather signs are not permitted as they are classified as air-activated signs, which are prohibited in the current UDO.

Political Signs

- Current UDO aligns with North Carolina regulations on political signs.
- Restrictions include placement away from rights-of-way and height limitations.
- Discussion on the enforcement of sign regulations, particularly regarding homemade signs outside the ETJ.

General Signage Regulations

- Current regulations in RA5 zone are deemed sufficient.
- No need for additional designations for political signs in RA5 as they have the same rights as homeowners within the village.
- Existing regulations cover size and placement of political signs, ensuring compliance with state laws.

Enforcement of Ordinances

- Enforcement responsibility lies with Lisa.

- Police officers have issued civil citations for zoning violations.
- Officers prefer not to enforce minor code issues, like lack of lattice around a head.
- The appearance committee also lacks enforcement power.
- A code enforcement officer is desired for better compliance.

Sign Regulations

- Signs are difficult to regulate post-Supreme Court ruling.
- The speaker notes that signs cannot be content-regulated as long as they comply with North Carolina law.
- Concerns raised about the number of signs in residential areas (RA5).
 - Speaker mentions, "I don't want to see a million of them as I come home."
- The speaker acknowledges the visibility benefits of signs for businesses.

Recommendations for Signage and Zoning

- Suggestion to remove "RAC" from the table of authorized signs due to its non-existence.
- Proposal to eliminate farm signs from the RM zone as they are not intended for that area.
- Jarusinski made a motion to recommend these changes to the village council, seconded by McCue.

Table of Authorized Uses

- Discussion on the need to clean up the table of authorized uses due to misleading entries.
- Mention of a discrepancy regarding chicken ownership rules in the UDO.
- Need for clarity and correction in the table of authorized uses.

Meeting Conclusion

- Acknowledgment of the need for further discussion on short-term rentals and the table of authorized uses.

6. Old Business

None

7. Adjournment

Motion to close the meeting made and seconded at 6:59 PM.

(moved by Jarusinski; seconded by Keubler).