

FOXFIRE VILLAGE PLANNING AND ZONING BOARD
RECOMMENDATION TO AMEND SECTION 21-8-13, USE OF DWELLING UNITS AND
SHORT-TERM RENTALS, ARTICLE VIII OF THE FOXFIRE VILLAGE UNIFIED
DEVELOPMENT ORDINANCE (UDO)

The Foxfire Village Planning and Zoning Board recommends the attached amendment to the subject section of the Foxfire Village UDO.

The Planning and Zoning Board finds that the proposed amendment is consistent with the Village Long Range Plan and Land Use Plan in that the amendment preserves the rural residential nature of the Village by limiting the use of residential properties on smaller lots for commercial lodging activities.

E. M. McCune III
19 August 2026

ORDINANCE #2026-?

AMENDING SECTION 21-8-13, USE OF DWELLING UNITS AND SHORT-TERM RENTALS, ARTICLE VIII OF THE FOXFIRE VILLAGE UNIFIED DEVELOPMENT ORDINANCE

THE FOXFIRE VILLAGE COUNCIL ORDAINS:

SECTION 1.

Article VIII, Section 21-8-13, Use of dwellings units and short-term rentals is deleted and re-written as follows:

Section 21-8-13. Use of Dwelling Units and Short-term Rentals (STR).

Dwelling units may be occupied or held ready for occupancy for residential purposes only. Accessory or other uses of dwelling units (e.g., no-impact home-based businesses ~~home occupations~~) may be permissible under other provisions of this UDO. Dwelling units may be occupied or held ready for occupancy by one family on a long term basis. A dwelling unit is occupied or held ready for occupancy by one family on a long term basis if the dwelling unit is being occupied as a permanent residence by one family, or is offered for sale or rent as a permanent residence for one family, or is being offered for rent or is rented to one family for a minimum period of at least 90 days.

Short-term rental (STR) of dwelling units.

STRs are not permitted within the RS-20, RS-30, and RS-40WS zoning districts. A dwelling unit is occupied or held ready for occupancy on a short-term basis if the dwelling unit is rented or offered for rent or otherwise occupied for 30 days or less. Dwelling units in the RS-20, RS-30, and RS-40 WS districts rented or occupied on a short-term basis no more than a total of 20 days within a calendar year are not considered an STR. Dwelling units in the RM, EU, RE, RA-5, and RF-200 zoning districts are exempt from STR permitting requirements, but are subject to the regulations listed below.

Owners of dwelling units used as STRs in the RS-20, RS-30, and RS-40WS zoning districts during the 365 days prior to the adoption of this ordinance may continue to operate as an STR, and must apply for an annual STR Nonconforming Use permit with the Village Zoning Administrator. Once a property ceases to be used as an STR for a period of 180 consecutive days, the nonconforming use is discontinued and the use of the property must comply with the underlying zoning district.

Owners of dwelling units used as STRs must apply with the Village Zoning Administrator to receive a copy of NCGS Chapter 42A, Vacation Rental Act, and the STR regulations set forth below.

1. No displays of goods, products, services, or other advertising shall be visible from outside the dwelling;
2. No activities other than lodging and related activities are permitted;
3. Off-street parking must be provided all guests;
4. No signs permitted except those authorized by section 21-8-5;

5. Length of stay of guests shall be less than one month;
6. Exterior lighting shall be residential in nature and must comply with the requirements of the UDO;
7. STR owner or operator shall maintain liability insurance on the property which covers the use as an STR;
8. STR shall comply with all current and applicable building codes;
9. STR must be reviewed annually for compliance with the annual zoning permit;
10. Commercial activity is prohibited;
11. On premises events are limited to a maximum of 16 persons including staying guests; and
12. STR occupants shall comply with all Village ordinances, including those regarding noise and unlawful acts.

STRs shall have a designated responsible party who is available 24 hours a day during all time the STR is rented or used on a transient basis. The name, phone number, and email address of the responsible party shall be conspicuously posted within the STR unit. The responsible party must be capable of responding to complaints or issues with the STR within one hour of their receipt.

Dates and instructions for trash and recycling collection shall be posted prominently within the STR. Trash receptacles must be of the size and number authorized by existing refuse contracts. The STR operator shall ensure all receptacles are set out for collection and retrieved on the scheduled collection day per Chapter 14 of the Foxfire Village Code.

Any three (3) violations of these regulations in a consecutive 365 day period will result in a loss of the STR permit.

SECTION 2.

The following definitions are added to Article XVI. Definitions of the UDO.

Short-term Rental (STR): A residential dwelling unit used for rental purposes for periods of less than 30 days, for more than 20 days within a calendar year, per contracted transient lodging event in exchange for financial consideration.

Nonconforming use permit: A permit acknowledging that a property's use was legal prior to a newly adopted zoning ordinance and may continue as long as the use is not discontinued, enlarged, extended, or intensified.

Section 3. All provisions of any Village ordinance in conflict with this ordinance are hereby repealed. In the event that any provisions of this ordinance are found to be unlawful or unenforceable the remaining provisions remain in effect.

Section 4. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2026

Janice Gregorich, Mayor