

Conditional Zoning Map Amendment Staff Review & Report



Town Council Hearing Date: January 6, 2026

Case File #: CZMA 2025-01

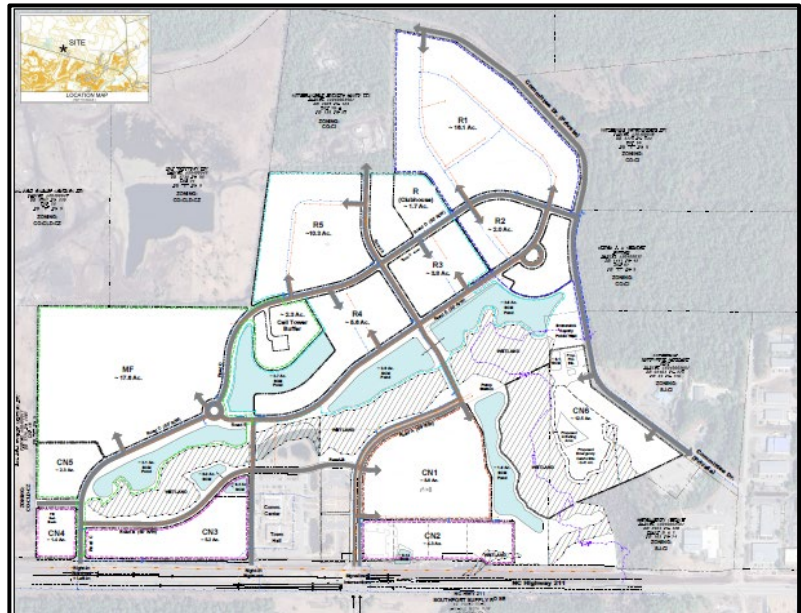
General Description: Staff review and report for a Creative Zoning Conditional District Map Amendment.

- Town Initiated
- Applicant Initiated
- Site Plan Review

Applicant(s): Ward and Smith, PA on behalf of Harbor Development Corporation (1/2 undivided interest), DR. Development Corporation (1/2 undivided interest), Canal Associates, Town of St. James

APPLICATION OVERVIEW:

Ward and Smith PA, on behalf of the property owners (listed above), is requesting the approval of a Conditional Zoning Map Amendment and Concept Plan for St. James North, a development consisting of a mixture of single-family, multi-family, and nonresidential uses on ±142.03-acres. The proposed development is located on the northern side of NC Hwy 211 (Southport Supply Rd SE) and south of Committee Drive and may be further identified by Brunswick County parcel numbers: 20400018, 20400019, 20400020, 2400040, 20400039, 20400025, 20400024, 20400023, 2040002201, 20400022, 20400058, 2040002502, and 2040002101. The properties are located North, West, and East of the existing Town Hall properties.



The request is to zone the subject properties from Brunswick County Commercial Low Density (CLD) and St. James Commercial Low Density (CLD) and Commercial Intensive (CI) to Creative Zoning Conditional

District (CZ). Properties adjacent to the subject site are zoned CLD-CZ or CI by Brunswick County, or CLD and CI by the Town of St. James.

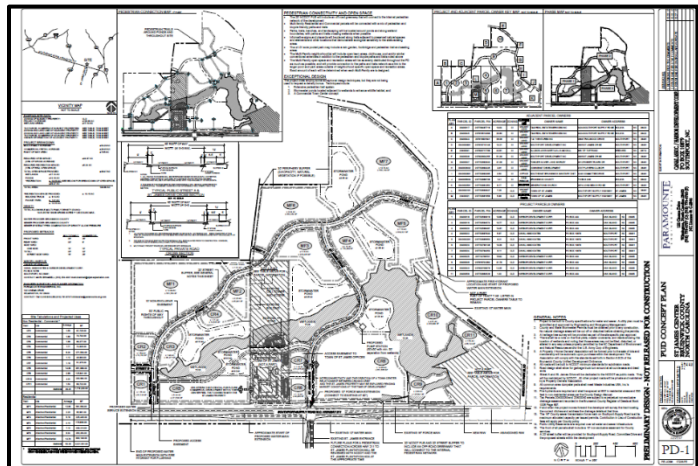
The applicant and Town have also initiated the process to annex the subject property into the Town's limits. The Town and applicant have also introduced the possibility of exchanging land that would entail the Town acquiring property owned by the applicants and the applicants' acquiring Town owned property.

In addition to the case summary, this packet includes the following attachments:

- Rezoning Application
- Initial Zoning Application
- Concept Plan
- Proposed Conditions
- Neighborhood meeting Information and Summary

SITE/PARCEL PROJECT HISTORY

In January 2018, the applicant received approval from the Brunswick County Planning Board to construct a Planned Unit Development (PUD) comprising a maximum of 1,902 residential units on 139.86 acres of property. No specific square foot amount for commercial uses was identified on the approved PUD map. Of the 139.86 acres, 53.29 acres were identified for multi-family, and 39.45 acres were identified for commercial uses.



CREATIVE ZONING CONDITIONAL DISTRICT PROCESS

Please see the conditional zoning overview process provided below.

Creative Zoning Conditional Rezoning

The Creative Zoning Conditional District (CZ-CD) is intended to allow a pathway for unique projects which may not otherwise fit within the parameters of the UDO to be considered in exchange for stronger public engagement in the form of a required neighborhood meeting. Factors that must be considered include adopted plans accessible open space, recreational facilities, traffic patterns, neighborhood screening and adjoining neighborhood impacts. Applicants may propose custom standards and uses for consideration in an application for a conditional zoning district. **The proposed conditions (attached) for this CZ-CD proposal are as approved by the Town's Planning Commission and are not finalized until the applicant reviews and approves. Any changes to the conditions will be provided to the Town Council. The conditions will also be shown on the concept plan.** CZ-CD districts must be considered by the Planning Board for a recommendation and then approved by the St. James Town Council.

The CZ-CD process differs from a General Use Rezoning in its inclusion of conditions and its requirement of the applicant to hold a public meeting to address any community concerns. The report from the required community meeting is provided as attachments to this report.

Concept Plan

For establishing conditions to be included with the Creative Zoning Conditional Zoning map amendment, applications for a zoning map amendment to a conditional zoning district must be accompanied by a concept plan for the entire property proposed to be included in the district. The concept plan is required to provide specific supporting information and text which identifies the uses or uses intended for the property, dimensional standards, and any development standards to be approved concurrently with the rezoning application.

Subsequent Submittals

No zoning or building permit shall be issued for any development activity within a CZ-CD except in accordance with the approved petition and concept plan. A master development plan and subsequent site plans for the development must be submitted for review and approval in accordance with the subdivision and master development plan procedure of Section 4.6 and site plan approval procedure of section 4.7 of the Town's Unified Development Ordinance (UDO), respectively.

PROPOSAL OVERVIEW

This project consists of single-family, multi-family, and nonresidential uses. The current application includes a total of 1,902 residential units on ±142.03 acres with a total gross residential density of 13.39 units an acre.

The concept plan identifies:

- six Commercial Neighborhood areas comprising approximately 34.3 acres,
- five Residential areas comprising approximately 39.5 acres,
- one Multi-family area comprising approximately 17.6 acres,
- one Cell Tower Buffer area comprising approximately 2.3 acres,
- eight stormwater control ponds comprising approximately 11.94 acres,
- wetlands, and
- a road network providing access to the proposed site from Hwy 211, access from Committee Drive, and internal access to each district development area within the development.

Single-family and Multi-family Residential

Per Section 7.15.3.B of the Town's UDO, density is established by the concept plan. The applicant proposes to construct a maximum of 1,902 residential units comprising single-family, townhouse, and multi-family units. The concept plan does not provide a breakdown of how many of each type of residential units are proposed; however, the concept plan provides the following range in density.

- Cumulative Density (range) for the MF Area: 10 units/acre to 29 units/acre
- Cumulative Density (range) for Residential Areas: 12 units/acre to 36 units/acre

Nonresidential

The applicant is proposing six distinct areas for commercial/nonresidential development. These commercial areas are along NC Highway 211 (located adjacent to east and west of the existing town hall property) and along Committee Drive. The applicant proposes a myriad of possible nonresidential uses (the proposed uses are part of the application). The concept plan indicates a gross square footage/acre in the Commercial areas will range from 21,865 SF/acre to 34,986 SF/acre.

DIMENSIONAL STANDARDS

Per Section 7.15.3 of the Town’s UDO, minimum lot size and minimum street setbacks are established by the concept plan.

Residential Dimensional Standards

No maximum height has been provided for the single-family homes. The UDO stipulates that maximum height for single-family dwellings is 35 feet. The table below provides the dimensional standards for the residential areas.

	Townhouse	Single-Family
Minimum Lot Dimensions (SF)	2,200 SF	5,000 SF
Frontage at the Setback Line	22'	40'
Frontage at the Setback Corner Lot	20'	35'
Frontage in a Cul-de-sac (Curb Width)	20'	20'
Setbacks		
Front Yard	20'	12'
Rear Yard	15'	10'
Side Yard	10'	5'
Side Interior (Attached/Duplex/Zero Lot Line)	0'	0'
Side Exterior (Attached/Duplex/Zero Lot Line)	5'	5'
Corner Side Yard	5'	5'

Multi-Family Standards

No maximum height has been provided for the multi-family buildings; however, the applicant has indicated the multi-family buildings would be a maximum height of 50 feet with the ability to increase the building height if setbacks increase by one (1) foot for each additional one (1) foot in height. The Table below provides the proposed dimensional standards for the MF area.

Minimum Number of Acres	5 Acres
Lot Size	
Minimum Lot Dimensions	None
Frontage for the First Structure	75' and 20' per additional unit up to a total of 135'
Setbacks	
Front Yard	25'
Rear Yard	20'
Side Yard	20'
Street Side Yard	15'

Commercial Neighborhood Standards

The maximum height proposed for the nonresidential areas is 60 feet for all principal commercial buildings; however, for each additional two (2) feet of setback added, and additional one (1) foot in

height can be added to the said maximum. The table below provides the proposed dimensional standards for the CN areas.

Minimum Lot Area (SF)	15,000 SF
Frontage at Setback Line	100' (120' for Corner Lots)
Setbacks	
Front Yard	25'
Rear Yard	6'
Side Yard	10'
Street Side Yard	25'

PHASING

The concept plan provides an estimated phasing plan as follows:

- **Commercial areas**
 - CN1 & CN2 – construction begin in 2026 and end around 2030
 - CN3-CN6 – construction begin around 2026 and end around 2032
- Other **Residential areas** begin construction around 2026 and end around 2030
- **Multifamily** areas to begin construction around 2027 and end around 2031

OPEN SPACE

Per Section 12.9.3 of the Town’s UDO, all new residential subdivisions shall provide recreation space in the amount of 10% of the gross acreage within the subdivision, with no more than 25% of the recreation space to be used for active recreation (i.e. tennis courts, ball fields, swimming pools, tot lots). The concept plan indicates that 14.2 acres of recreation space is required with no more than 3.55 acres being active. The remaining 10.65 acres will be passive. Passive recreation areas shall include amenities such as walking paths, piers, picnic areas, and other passive recreational uses.

LANDSCAPING, TREE PRESERVATION, AND ENVIRONMENTAL STANDARDS

Project Boundary Buffers

In Section 10.8.9 *Project boundary buffers*, the Town’s UDO regulates buffer opacity standards based on the zoning of the subject properties and the adjoining properties. Based on the Town’s requirements, a project boundary buffer is not required since the subject property would be zoned CZ and the adjacent properties are zoned either CL, D by Brunswick County, CI by Brunswick County, or CLD by the Town of St. James.

Street Buffers

Street buffers are generally located along the street(s) that border a development to enhance the public environment. Per Section 10.8.8 of the UDO, a 20-foot landscaped buffer is required along collector and thoroughfares. As noted in Condition 6, the applicant requests that the street buffer width be reduced from 20 feet to 10 feet provided the buffer area remains landscaped consistent with the intent of the UDO.

Vehicular Use Area Parking

All parking spaces shall be within 60 feet of the trunk of a canopy tree, or 30 feet from small trees if allowed under overhead utilities or in special circumstances. The trees shall be planted in medians or islands at least 10 feet long by 10 feet wide measured from back of curb to back of curb with a minimum 300 square feet per canopy tree. Section 10.9.3.C requires as minimum 10-foot wide continuous planted median to be installed approximately every 130 linear feet in one direction for parking areas exceeding 40,000 square feet. Note the applicant is requesting that the standard of Section 10.9.3.C not be applicable to the proposed development (See Condition 5).

Tree Preservation

Tree preservation standards for the Town of St. James are found in Sections 10.3 Tree Preservation and Tree Clearing Requirements, 10.4 Preservation of Protected Trees During Construction, and Section 10.10 Removal of Existing Trees. These UDO Sections require tree clearing certificates prior to the commencement of tree clearing activities and preservation of protected trees during construction. The applicant has requested that these Sections not be applicable to this development (See Condition 14). The Planning Commission expressed concern with tree preservation on the site, and following discussion, the applicant agreed to:

- Retain 25 feet in width of the existing vegetation along N.C. Hwy 211 until such time as the earliest approval of the first site plan in CN1, CN2, CN3, and CN4 as shown on the Concept Plan
- Preserve trees in a materially natural condition within the delineated wetlands, except for any areas subject to development impacts
- Provide notice to the Town Administrator prior to any tree clearing activities on the site
- Retain (outside of the wetland areas) or plant 12 inches of trees per residential unit in the MF and R-designated areas with the planted trees being a minimum of one-inch DBH when planted.
- Identify on the site plan or preliminary subdivision plat the preserved or retained trees,

Included in Condition #14, but not yet approved by the applicant, the planted trees is to be tracked on certificates of occupancy in 50-unit increments.

Environmental

As depicted on the concept plan, there are existing wetlands on the property. These wetlands run primarily in an East to West manner along the interior of the site. Distinct Area CN6 is inclusive of wetlands, while the wetlands are not included in other distinct development areas. Also, a portion of the eastern side of the development near Committee Drive, including Area CN6, is in the 100-year floodplain.



PUBLIC INPUT MEETING

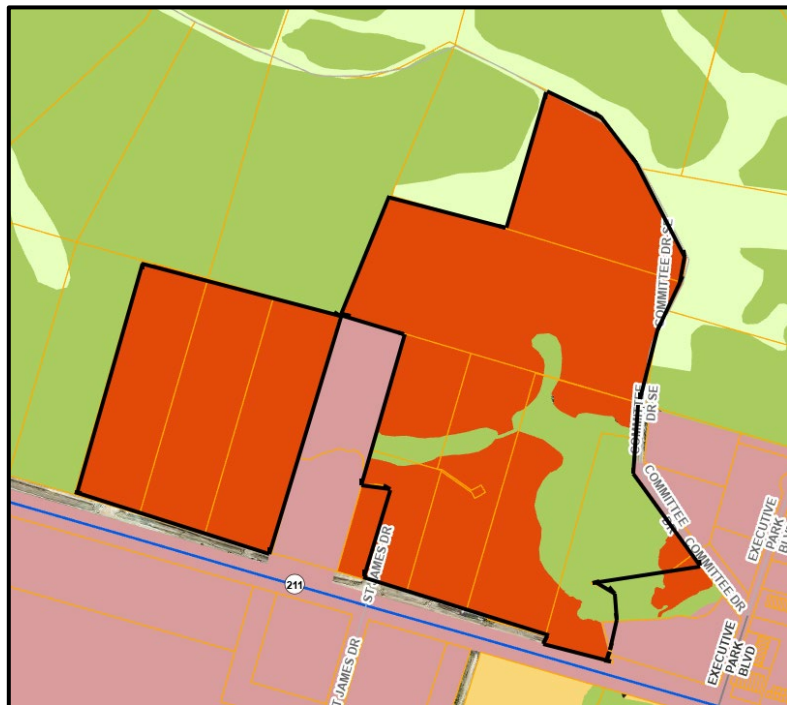
A public/community input meeting is required by the UDO. The applicant held a public input meeting on October 14, 2025, at 6:00 PM at the Homer E. Wright Event Center located at 4136 Southport-Supply Road St. James NC 28461. The applicant provided a brief overview of the project and took questions from the attendees. A full detailed neighborhood meeting summary has been provided as a requirement of this applicant submittal. It is attached as part of this report/agenda packet.

CONSISTENCY WITH ADOPTED LAND USE PLANS

Blueprint Brunswick 2040 CAMA Land Use Plan

The *Blueprint Brunswick CAMA Land Use Plan* was adopted by the Brunswick County Board of Commissioners in February 2023. The Plan is intended to provide a framework that will guide local government official and private citizens as they make short- and long- term decisions regarding development and conservation.

The *Blueprint Brunswick Plan* includes a Future Land Use Plan Map which visually depicts the County's long range land use and development goals to be implemented. The map is intended to provide a framework for future land use decisions. The map is not regulatory in nature but is to be used as a tool for guiding decisions by offering policy guidance when considering amendments to the zoning map. The Future Land Use Map designates the subject properties as Commercial and Open Space – Conservation 1 Place Types.



The **Commercial Place Type** are areas devoted to small-scale complexes or individual sited with standalone buildings developed for retail, office, or service uses. Such establishments are located to take advantage of highway visibility and access but may include higher density residential uses (i.e. multifamily and upper floor units).

The **Open Space – Conservation 1 Place Type** are areas that consist primarily of undisturbed open space: floodways, and floodplains, high-risk flood areas, publicly protected lands, CAMA setbacks, privately protected lands, NC Natural Heritage Conservation Program areas, and historic or culturally significant areas/properties. Though some development exists in these areas, new development is unlikely. New uses are associated with access to protected open space (i.e., game lands for hunting, nature preserves for education and passive recreation) and natural resource management. Maintaining environmental integrity or historic value are major considerations in land-disturbing activities.

In addition to the Future Land Use Map, the request should be considered in the context of adopted policies within the Land Use Plan. Below are specific policies that staff find relevant to this application:

LU-2. Support development in areas that are best suited for future development.

- Direct future growth toward existing communities where existing and planned infrastructure capacity as well as services can support additional growth. As the centers of commerce in the county and the areas of population concentrations, the existing communities are the logical places for the delivery of services and infrastructure, particularly as they expand over time.
- Direct higher development to unincorporated areas of the county that are designated as commercial and mixed-use activity centers on the Future Land Use and Conservation Map. Encourage growth in areas that are or will be served with infrastructure and services.
- Support the municipalities as they grow and change over time to accommodate new residents, jobs, and activities, and reduce pressure for development in the unincorporated areas of the county.

NR-4: Reduce the potential for property damage and impacts due to natural hazards.

- Minimize potential impacts of flooding.
 - Discourage new development in flood-prone areas. On the FLUP&C Map, the areas designated for “Conservation” encompass floodplains, flood hazard, ocean hazard, and other high-risk flood areas. Here, development intensity should remain the lowest in the county.

Town of St. James Comprehensive Plan VI

This Plan aims to provide leaders and St. James residents with a perspective on how the community will evolve through the mid-2020s. The Plan reviews key developments since the previous plan, assesses the current status of the community and its organizations, and considers likely developments in the next several years. The subject properties are identified as the St. James Center as identified as Potential Future Development F on page 28. The Plan acknowledges Brunswick County approval and supports a town center, multi-family housing, stormwater ponds, wetlands, and commercial development. The Plan states that in 2020 survey responses, “residents desired to have more restaurants and shops convenient to our residents.”

PLANNING COMMISSION RECOMMENDATION

The Planning Commission met on November 3, 2025 to consider the proposed Creative Zoning Conditional District (CZ) zoning map amendment and concept plan. After reviewing the proposed conditions, the Planning Commission elected to continue the item to November 12, 2025. The discussion during the two Planning Commission meetings centered on flexibility in development, stormwater management, tree preservation and timbering activities, building height and design, intersection spacing, and underground fuel tanks.

At the November 12th meeting, the Planning Commission voted to recommend conditional approval of the proposed CZ-CD zoning and concept plan. Conditions of approval, as recommended by the Planning Commission are attached.

PLANNING COMMISSION CONSISTENCY STATEMENT

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Action:

(A) X The Planning Commission hereby recommends approval of the proposed zoning map and finds that it is (i) consistent with the Town of St. James Comprehensive Plan VI and the Brunswick Blueprint 2040 CAMA Land Use Plan. The Town’s comprehensive plan identifies the subject parcels for future commercial and residential growth to fulfill the existing residents’ desire to have retail, commercial, and restaurants in proximity to the current town limits. The Brunswick County plan has identified most of the subject property as a commercial place type, which seems to support retail, office, and service uses on properties located to take advantage of highway visibility and access and also include higher density residential. and (ii) that it is reasonable and in the public interest because the development will provide needed and desired commercial uses in proximity to the existing town.

(B) _____ The Planning Commission hereby recommends denial of the of the proposed zoning map and finds that it is and finds that it is inconsistent with the Town of St. James Comprehensive Plan VI and the Brunswick Blueprint 2040 CAMA Land Use Plan, as there are conflicting policies that relate to various aspects of the proposed rezoning request within the comprehensive plans; and (ii) that it is not reasonable or in the public interest for the following reasons : _____

_____.

Recommend Approval (A) X Recommend Denial (B) _____

(For 7 Against 0 Abstained _____)

TOWN COUNCIL CONSISTENCY STATEMENT

Action:

(A) _____ The Town Council hereby approves the proposed zoning map and finds that it is (i) consistent with the Town of St. James Comprehensive Plan VI and the Brunswick Blueprint 2040 CAMA Land Use Plan. The Town’s comprehensive plan identifies the subject parcels for future commercial and residential growth to fulfill the existing residents’ desire to have retail, commercial, and restaurants in proximity to the current town limits. The Brunswick County plan has identified most of the subject property as a commercial place type, which seems to support retail, office, and service uses on properties located to take advantage of highway visibility and access and also include higher density residential. and (ii) that it is reasonable and in the public interest because the development will provide needed and desired commercial uses in proximity to the existing town.

(B) _____ The Town Council hereby denies the proposed zoning map and finds that it is and finds that it is inconsistent with the Town of St. James Comprehensive Plan VI and the Brunswick Blueprint 2040 CAMA Land Use Plan, as there are conflicting policies that relate to various aspects of the proposed rezoning request within the comprehensive plans; and (ii) that it is not reasonable or in the public interest for the following reasons

_____ :

Approval (A)____ Denial (B)_____

(For _____ Against _____ Abstained _____)

Commentary: