

TOWN OF ST. JAMES
PLANNING BOARD MEETING MINUTES
August 4, 2026

The St. James Planning Board held a Meeting on August 4, 2026, at 9:30 a.m. in the Earl Dye Council Chamber at Town Hall.

Board Members Present: Board Members Duane Stewart, Bill Kozub, Richard Ishler, Trent Pohlar, and Marc Fields, and 1st Alternate Barry Fulton and 2nd Alternate Robert Arthur.

Others Present: Town Manager Jeff Repp, Wes MacLeod with Anchorpoint Planning, and Town Council Representative Jim Board

Minutes are based on a video recording of the meeting.

CALL TO ORDER AND INTRODUCTIONS

Town Manager Jeff Repp called the meeting to order at 9:30 a.m. Mr. Repp explained to the group that new members had recently been appointed to the Planning Board. Mr. Fields was appointed to fill the vacancy of Mary MacBarb whose term had expired and Mr. Arthur to the vacant position of second alternate. Mr. Repp further explained that with the expired term of Ms. MacBarb a vacancy in the position of Chairperson was created and due to the provisions of the Unified Development Ordinance (UDO) only the town council could appoint the Chair and Vice Chair to the board. He asked if the board was ok with him serving as acting chairperson until those appointments were made. The board agreed. Mayor Pro Tem Board asked if everyone could introduce themselves since there were new members.

APPROVAL OF THE AGENDA

Mr. Repp asked for a motion to approve the agenda. A motion was made by Richard Ishler and seconded by Bill Kozub to approve the agenda as submitted. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Mr. Repp asked for a motion to approve the consent agenda which includes minutes of the November 3, 2025, and November 12, 2025, Planning Board meetings. Duane Stewart made a motion to approve the consent agenda and Trent Pohlar seconded the motion. The motion carried unanimously.

STAFF REPORTS

Unified Development Ordinance (UDO) Code Review – Wes MacLeod, Anchorpoint Planning

Wes MacLeod of Anchorpoint Planning presented and reviewed the draft UDO Code Audit dated July 30, 2026, noting the document was a diagnostic starting point rather than a final rewrite. The Board reviewed the audit report article by article. Key issues and determinations included the following:

General Code Issues: Mr. MacLeod identified several overarching issues requiring correction throughout the code, including outdated references to the Board of Adjustment for special use

TOWN OF ST. JAMES
PLANNING BOARD MEETING MINUTES
August 4, 2026

permits, which now falls under Town Council. He noted that criminal penalties for zoning violations were no longer permitted and needed to be removed throughout the code, and that open-ended discretionary language such as “may ask for” must be replaced with objective and measurable standards. Additionally, the reviewing official’s title needs to be standardized to “UDO Administrator” throughout, and agency names need to be updated appropriately.

Limits of Planning Board Discretion: Mr. MacLeod emphasized that under North Carolina law, the Planning Board cannot impose discretionary conditions on administrative site plan approvals. If a developer submits a compliant site plan, the Town is bound to approve it. Conditions such as requiring sidewalks or crosswalks can only be imposed through the legislative conditional zoning process or a quasi-judicial special use permit process. Mr. Fields asked whether language could be added to the UDO to encourage developers to include certain improvements desired by the Planning Board but not specifically spelled out in the UDO. Town Manager Jeff Repp reinforced that attempting to impose unapproved conditions opens the Town to legal challenges and liability, as developers may claim damages for threatening to withhold or delay approvals. The Board acknowledges that enforceable standards must be written into the UDO in advance.

Article 1 – Purpose and Applicability

Mr. MacLeod recommended replacing the antiquated term "yards" with "setbacks". He also recommended removing a bona fide farm exemption that only applies to jurisdictions with an extraterritorial jurisdiction (ETJ), which St. James does not have. Because the Town of St. James has no ETJ, the exemption is inapplicable and the provision creates a risk that someone could claim the exemption within town limits. Mr. MacLeod also identified several provisions, including dimensional standards and the table of permitted uses, that are scattered across multiple articles and should be consolidated for ease of reference.

Article 2 – General Provisions

Discussion touched on the code's treatment of accessory dwelling units (ADUs). Mr. MacLeod noted that under the current UDO, ADUs require a special use permit. Regulating the number of bedrooms is no longer permitted by state law, but maximum square footage caps remain allowable. He raised the broader policy question of whether the Board wished to continue requiring a special use permit for ADUs, or whether ADUs should be permitted by right subject to objective conditions such as a square footage maximum. There was discussion regarding the role of the Property Owners Association (POA) in regulating ADUs within St. James Plantation. The board agreed to come back to the discussion of ADUs and that Mr. MacLeod would prepare draft language for future review.

Mr. MacLeod also flagged Section 2.10, the "Use of Loudspeakers Prohibited" provision, as out of place in a development ordinance. This type of regulation is usually in a town-wide noise ordinance. Mr. Repp confirmed that the town does not currently have a noise ordinance but is looking to adopt the county’s noise ordinance for sheriff enforcement purposes. The Board agreed that this provision should be removed from the UDO once a noise ordinance is in place.

TOWN OF ST. JAMES
PLANNING BOARD MEETING MINUTES
August 4, 2026

Mr. MacLeod recommended removing Section 2.18.3, which conditions certificates of occupancy on financial guarantees for incomplete improvements. Building inspections and certificates of occupancy are issued by Brunswick County under an interlocal agreement.

Regarding building height (Section 2.13), Mr. MacLeod suggested removing the word “habitable” from the three-story limit for single-family dwellings. Mr. Repp noted that the town typically follows the 40-foot rule, the highest point of a structure can’t exceed 40 feet. There was a question regarding the practical application of the 50-percent-of-principal-structure accessory building height limit. There was a discussion whether a fixed cap—such as 20 feet—might be more predictable than the percentage-based standard, provided the accessory structure could not exceed the height of the principal structure.

Article 3 – Decision Making and Administrative Bodies

Mr. MacLeod noted that the code inconsistently assigns special use permit authority between the Town Council and the Board of Adjustment, which must be resolved. He also recommended that the Technical Review Committee (TRC) no longer be established by the Planning Board, and that TRC convening should be at the UDO Administrator's discretion.

On the question of Transportation Impact Assessments (TIAs), Mr. MacLeod recommended removing the TIA requirement, noting that traffic impact review on state-maintained roads falls under NCDOT’s authority, and a TIA is difficult for a smaller local government without engineering staff to review and approve. The current code contains a provision allowing the UDO administrator to require a TIA at discretion for rezoning applications or subdivisions of 50 or more lots, with a threshold of 300 trips per day. After discussion, the Board generally agreed that the discretionary TIA provision should be removed as a formal requirement and addressed instead as part of the development agreement or conditional zoning process.

Articles 4 – Review Procedures

Mr. MacLeod highlighted several key changes recommended in these articles. He noted that pre-application conference requirements should be made optional rather than mandatory, and that notice content requirements (Section 4.1.4.D) should be more generalized rather than itemized, a point that Board member Bill Kozub underscored. Mr. MacLeod also recommended extending the Planning Board's recommendation timeline from 30 to 60 days.

The concept of improvement guarantees was discussed with Mr. MacLeod recommending that the town limit the scope of bondable items to sidewalks, landscaping, and the final lift of asphalt, rather than allowing bonding for infrastructure outside the town’s control, such as water and sewer. The board agreed with this approach.

Article 5. Nonconformities: Mr. MacLeod recommended removing the section on nonconforming use certificates.

Bill Kozub was excused and left the meeting at 11:05 a.m.

Article 6 Enforcement: Mr. MacLeod reiterated that blanket criminal penalties must be removed from the code and replaced with civil penalties.

TOWN OF ST. JAMES
PLANNING BOARD MEETING MINUTES
August 4, 2026

Article 7 – Zoning Districts

MacLeod noted that dimensional standards—including setbacks and heights—are currently scattered across multiple articles and need to be consolidated into a single unified table. He also pointed out that Article 7's housing type illustrations are inconsistent with definitions, creating confusion.

Article 8 - Prescribed Conditions:

Mr. MacLeod identified numerous subjective and unmeasurable standards that need to be replaced with objective, enforceable criteria or removed. There was a brief discussion regarding the UDO and the St. James Property Owners Association (POA) Architectural Control Committee (ACC). Mr. MacLeod noted that in regard to design, local government cannot regulate a residential structure of one single family up to four units attached.

Article 9 – Design and Performance Standards

On parking, Mr. MacLeod noted that while state law now generally prohibits local governments from regulating off-street parking, coastal counties may retain that authority. He recommended that the town retain its right to require off-street parking by use, but transition the parking table toward uniform, square-footage-based standards rather than per-employee or per-seat ratios, which are difficult to administer and verify. He confirmed that the town may still require a minimum number of spaces and may still regulate landscaping within parking areas.

Next Steps

Mr. MacLeod confirmed that the next work session would take place on September 1, 2026. He committed to sending draft revisions to Articles 1 through 6 no later than August 18, in advance of the next meeting. The Board was advised to treat all materials as working drafts subject to further discussion.

OLD BUSINESS

None

NEW BUSINESS

26-01 Motion to Recommend a Chairman and Vice-Chairman to the Town Council for a term ending December 31, 2026.

Town Manager Jeff Repp explained that, per the UDO, the Planning Board recommends its Chairman and Vice Chairman to Town Council for one-year terms ending on December 31st of each calendar year.

A motion was made by Barry Fulton and seconded by Marc Fields to recommend Bill Kozub as Chairman to the Town Council for a term ending December 31, 2026. The motion carried unanimously.

A motion was made by Richard Ishler and seconded by Barry Fulton to recommend Marc Fields as Vice Chairman to the Town Council for a term ending December 31, 2026. The motion carried unanimously.

TOWN OF ST. JAMES
PLANNING BOARD MEETING MINUTES
August 4, 2026

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

A motion to adjourn was made by Richard Ishler and seconded by Trent Pohlar. All were in favor.

The meeting was adjourned at 11:20 a.m.

Respectfully Submitted,

Approved,

Jamie Burns
(Asst. Zoning Admin. / Clerk)

William Kozub
(Chair)