



Ordinance 2025-03

Ordinance to Amend the Unified Development Ordinance for the Town of St. James, North Carolina

Amend the text in Section 8.88 Swimming Pools and Section 9.1.7 Alternative Parking Plans

THAT WHEREAS, the Town has enacted a set of development regulations that control land development and construction within the Town’s planning and development regulation jurisdiction; and

WHEREAS, in order to promote the public health, safety and general welfare and to promote the best interests of the Town and community, it is necessary from time to time for the Planning Board and Town Council to consider appropriate revisions, modifications and updates to the Town’s Development Regulations; and

WHEREAS, staff have drafted language to clarify the requirements for placement of swimming pools and to increase the allowable distance for off-site parking in the town’s Unified Development Ordinance (UDO); and

WHEREAS, at their June 3, 2025 meeting the Town Planning Board recommended adoption of the proposed update of the Town’s UDO to the Town Council and found that (i) it is consistent with the Town’s 2007 Land Use Plan (Brunswick County Multi-jurisdictional CAMA Land Use Plan), which states “land Development Ordinances should be revised from time to time to be consistent, as reasonably possible, with the recommendations of this plan and the evolving nature of the County’s growth and development policy,” and, (ii) although the Town of St. James Comprehensive Plan does not directly address the topics proposed for amendment, it generally supports process improvement efforts; and, (iii) it is in the public interest because it will advance the public health, safety, and/or welfare of the Town of St. James through a reduction of conflicting language and an expansion of off-site parking options for property owners; and

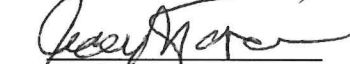
WHEREAS, pursuant to N. C. General Statutes and Town ordinances, a public hearing, properly noticed, was held on July 2, 2025 where public comment was heard and considered by the Town Council regarding this issue; and

WHEREAS, the Town Council hereby finds that the proposed update of the Town’s UDO is (i) it is consistent with the Town’s 2007 Land Use Plan (Brunswick County Multi-jurisdictional CAMA Land Use Plan), which states “land Development Ordinances should be revised from time to time to be consistent, as reasonably possible, with the recommendations of this plan and the evolving nature of the County’s growth and development policy,” and, (ii) although the Town of St. James Comprehensive Plan does not directly address the topics proposed for amendment, it generally supports process improvement efforts; and, (iii) it is in the public interest because it will advance the public health, safety, and/or welfare of the Town of St. James through a reduction of conflicting language and an expansion of off-site parking options for property owners.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of St. James that the proposed update is hereby adopted and shall become effective immediately.

Adopted this 2nd day of July 2025.

Town of St. James



By: Mayor

ATTEST:



Town Clerk

Language to be amended is shown in editorial format, strikethrough for deletion and underline for insertion.

8.88 Swimming Pools

Swimming pools located on any site, including single-family residential sites, shall be:

8.88.1 Located in a side or rear yard only.

8.88.2 Located a minimum of (5) five feet from any side or rear property line; to include the decking and equipment associated with the swimming pool. Pools shall not be subject to the principal structure setback requirements unless elevated subject to Section 8.88.4.

8.88.3 Completely enclosed by a fence or wall no less than 4 feet in height above grade as measured on the side of the fence or wall that faces away from the swimming pool. This fence or wall shall enclose the pool itself and may include any other additional portions of the lot. All fence or wall openings into the pool area shall be equipped with a gate that opens outward away from the pool and shall be self-closing and have a self-latching device. (See Article 9.7 for additional fence requirements.)

8.88.4 Where a pool will be elevated greater than 18 inches above the finished ground level, then the pool and all associated above grade decking and equipment shall be subject to the principal structure setbacks for the district in which it is located.

9.1.7 Alternative Parking Plans

9.1.7.B.2 Off-Site and Cooperative Parking.

- a. Cooperative provision of required parking space and other innovative parking arrangements that protect and serve the public interest are encouraged.
- b. The Planning Board-UDO Administrator may approve the location of up to 50% of required off-street parking spaces on a separate lot from that on which the principal use is located if the off-site parking complies with all of the following standards. This factor shall not be used to satisfy the off-street parking requirements for convenience stores or similar convenience-oriented uses or for handicapped accessible parking.
- c. Location. No off-site parking space shall be located more than 500-2,000 feet from the primary entrance of the use served (measured along public walkways). Off-site parking spaces shall not be separated from the use served by a highway, unless a grade-separated pedestrian walkway is provided, or traffic control or remote parking shuttle bus service is provided. Off-site parking shall be located in a district where commercial parking is a permitted principal use.