



**An Ordinance to Execute a Development Agreement
with Harbor Development Corp., Canal Associates, LLC, and
D.R. Development Corporation**

(CZMA-2025-01): St. James North

#2026-03

WHEREAS, the Town of St. James, North Carolina, ("Town") has enacted a Unified Development Ordinance ("UDO") setting forth development regulations that control land development and construction within the Town's incorporated and extraterritorial jurisdiction areas; and

WHEREAS, The Town is presently experiencing growth which necessitates the need for additional housing, additional public services, additional businesses, additional jobs, and additional public infrastructure within the Town; and

WHEREAS, significant development projects often occur in multiple phases over several years presenting a challenge for traditional zoning processes, and requiring substantial commitments of private capital, which developers are usually unwilling to risk without sufficient assurances that development standards will remain stable through the extended period of the development. Article 10 of Chapter 160D of the North Carolina General Statutes grants municipalities the authority to enter into development agreements for economic development purposes to better structure and manage development approvals for such developments; and

WHEREAS, Harbor Development Corp., a North Carolina Corporation, Canal Associates, LLC, a North Carolina limited liability company, and D.R. Development Corporation, a North Carolina corporation (collectively referenced herein as, the "Landowners") and the Town, have negotiated and created a proposed development agreement to regulate, stipulate, and govern the development of certain land located in Brunswick County all of which is now within the municipal limits of the Town and is more particularly identified as those certain tract or parcels of land lying and being situate in Brunswick County, North Carolina, identified in the Brunswick County Tax Records with Parcel IDs Numbers: 20400018, 20400019, 20400020, 20400040, 20400039, 20400025, 20400024, 20400023, 2040002201, 20400022, and 20400058 (collectively, the "Property"), which development agreement is attached hereto and incorporated by reference into and made a part of this Ordinance (hereinafter, "Development Agreement"); and

WHEREAS, the Developer has previously submitted for annexation all properties subject to the Development Agreement which were not otherwise within the Town limits; and

WHEREAS, the Town Council has adopted an ordinance to annex all such properties covered by the Development Agreement; and

WHEREAS, in conjunction with the foregoing Development Agreement, Landowners requested the Town's approval of a Conditional Zoning Map Amendment and Concept Plan for the Property, which has been assigned number CZMA-2025-01; and

WHEREAS, pursuant to applicable North Carolina General Statutes and Town ordinances, the Town Council held a public hearing, properly noticed, on February 4, 2026 and March 4, 2026, where public comment was heard and considered by the Town Council regarding the proposed Development Agreement; and

WHEREAS, the Town Council subsequent to the public hearing at the properly noticed meeting on the 4th day of February, 2026, voted to enter into the Development Agreement with Landowners, as authorized under Article 10 of Chapter 160D of the North Carolina General Statutes, to establish the mutual obligations and covenants between the parties; and

WHEREAS, the Town Council has determined that it is beneficial to the Town to execute the attached Development Agreement.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. James, North Carolina, that:

Section 1. Pursuant to N.C. Gen. Stat. § 160D-1003, the Town Council hereby approves the Development Agreement attached hereto by and between the Town of St. James, North Carolina, and Harbor Development Corp., Canal Associates, LLC, and D.R. Development Corporation, which Development Agreement is incorporated into and part of the Conditional Zoning Map Amendment proposed by Harbor Development Corp., Canal Associates, LLC, and D.R. Development Corporation and approved concurrently herewith such that the terms of this Development Agreement shall be and hereby are a development regulation of the Town pertaining to the Property.

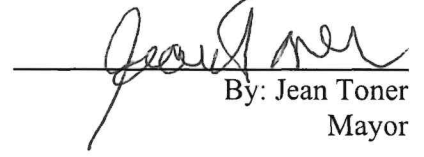
Section 2. Pursuant to the authority granted by statute, the Town Council authorizes the Mayor of the Town to execute this Ordinance and the Development Agreement on behalf of the Town Council.

Section 3. The Development Agreement shall be effective once recorded with the Brunswick County Register of Deeds by Harbor Development Corp., Canal Associates, LLC, and D.R. Development Corporation.

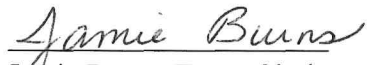
Section 4. This Ordinance is effective immediately on the 1st day of April, 2026.

Adopted this 1st day of April, 2026.

Town of St. James


By: Jean Toner
Mayor

ATTEST:


Jamie Burns, Town Clerk