

RESOLUTION 25-03

RESOLUTION OPPOSING NORTH CAROLINA HOUSE BILL 765 - LOCAL GOV.
DEVELOPMENT REGULATIONS OMNIBUS

WHEREAS, on April 3, 2025, House Bill 765 (HB 765) was introduced (then later amended on April 7) for consideration by the North Carolina General Assembly; and

WHEREAS, if enacted, HB 765 would substantially reduce the ability of local governments to exercise decision-making authority over important aspects of land development within their jurisdiction; and

WHEREAS, examples of such included within HB 765 are as follows:

1. Bars local governments from exercising planning, zoning, subdivision, or development regulation authority beyond that expressly authorized by GS Chapter 160D;
2. Prohibits any planning, zoning, subdivision or land development regulation that is more restrictive than State law (apart from floodplain management) and deems void any noncompliant ordinance in effect or subsequently adopted after 1 January, 2026;
3. Mandatory extension of vested rights;
4. Mandatory implementation of timelines for land development review processes, with automatic approval required if the local government exceeds a set period;
5. Limits municipal authority to regulate driveway cuts
6. Elimination of authority to regulate parking (location, size, or number) other than what is required by Federal law (ADA);
7. Substantially reduces the ability to require sidewalk construction within residential & commercial developments;
8. Discard minimum lot size requirements & increase minimum by-right density thresholds for residential development according to city population size;
9. Allow for private package sewer treatment plants;
10. Allow non-conforming off-premise (billboards) & on-premise signs to remain in place;
11. Define and allow "tiny housing" in any residential district;
12. Allow for civil action to be brought against board members for potential violations;
13. Require future draft bill or resolutions brought before the legislature contain a "fiscal note" detailing the what estimated costs it would add to single-family housing;
14. Require sewer providers provide all of a developers requested sewer allocation at once if the municipality has available allocation;
15. Require additional reporting for available sewer allocation;
16. Limit municipal regulation of curb cuts and require substantial evidence for any required improvements;
17. Eliminates authority for governing bodies to make decisions regarding the subdivision of land - mandating those as administrative (staff) actions; and

WHEREAS, the Board of Aldermen of the Town of Shallotte, North Carolina strongly believes that local governments are best suited to establish appropriate development regulations given the context and sentiment of their communities; and

Adopted by Town of Shallotte Board of Aldermen in regular session, this 6th day of May, 2025.

ATTEST

Walter Eccard, Mayor

Natalie Goins, Town Clerk