



Town of Shallotte Board of Aldermen  
**ACTION AGENDA ITEM**  
2025

**TO:** Board of Aldermen

**ACTION ITEM #:** \_\_\_\_\_

**MEETING DATE:** 5-6-2025

**FROM:**

**DATE SUBMITTED:** \_\_\_\_\_

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**ISSUE/ACTION REQUESTED:**

**PUBLIC HEARING:** ☐ YES ☒ NO

To request the Board's review of Resolution 25-03 opposing House Bill 765, Local Gov. Development regulations Omnibus.

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**BACKGROUND/PURPOSE OF REQUEST:**

Staff has been notified of pending legislation currently under consideration by the NC House of Representatives. The proposed language, if adopted, would have considerable effect on local governments' (LG) ability to effectively regulate land. Staff has attempted to summarize the portions of the bill that would most directly affect Shallotte.

- Allow statutory vesting of a project to be tolled during emergency declarations-160D-108
  - Allow vesting of a project for five years vs. the current 2-160D-108
  - Continues to prevent a municipality from creating non-conformities without property owner permission and allows at least 2 years for the vesting of these rights-160D-108.2
  - Does not allow ex-parte communication for any legislative action-160D-109
  - Sets a time period of approval of 90 days for development applications-160D-403
  - Greatly reduces LG ability to regulate driveways & reduces LG ability to develop street design standards-160D-702
  - Significantly reduce LG ability to require sidewalks with new development-160D-702
  - The use of minimum lot size in residential zones shall be disallowed, and a density calculation shall be required instead. A minimum density of 4 units per acre shall be established (160D-703).
  - Require development applications be reviewed for completeness within 14 days 7 require the application be administered within 90 days-160D-707
  - Allow nonconforming outdoor (billboard) & onsite signage to remain-160D-912
  - Allow "tiny houses within any residential zoning district-160D-974
  - Allow accessory dwelling units in any residential zoning district without additional parking-160D-975
  - All appeals of subdivision decisions would have to go to the Zoning Board of Adjustment-160D-1403
  - Allow civil suits against elected & appointed officials for violations of 160D-160D1403
  - 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-Sec. 28
  - Allow private "package" wastewater treatment plants- Sec. 29
  - Limit municipal regulation of curb cuts and require substantial evidence for any required improvements-160A-307
  - Require sewer providers provide all of a developers requested sewer allocation at once if the municipality has available allocation & require additional reporting for available sewer allocation-162A-1002
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**FISCAL IMPACT:**

**BUDGET AMENDMENT REQUIRED:**

☐ YES

☒ NO

**CAPITAL PROJECT ORDINANCE REQUIRED:**

☐ YES

☒ NO

**PRE-AUDIT CERTIFICATION REQUIRED:**

☐ YES

☒ NO

**REVIEWED BY DIRECTOR OF FISCAL OPERATIONS**

☐ YES

☒ NO

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**CONTRACTS/AGREEMENTS:**

**REVIEWED BY TOWN ATTORNEY:**

☐ YES

☐ NO

☒ N/A

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ADVISORY BOARD RECOMMENDATION: N/A

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STAFF RECOMMENDATIONS: N/A

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FINANCE RECOMMENDATION: NA

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**ATTACHMENTS:**

1. Draft HB 765
  2. Resolution 25-03
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