



Shallotte Board of Aldermen Regular Meeting Agenda

January 06, 2026 at 5:15 PM

Meeting Chambers – 110 Cheers Street

- I. CALL TO ORDER
- II. INVOCATION & PLEDGE
- III. CONFLICT OF INTEREST
 - [1.](#) STATEMENT
- IV. AGENDA AMENDMENTS & APPROVAL OF AGENDA
- V. PUBLIC COMMENTS (3 minutes or less per person & sign in please)
- VI. DEPARTMENT REPORTS
 - [1.](#) POLICE
 - [2.](#) FIRE
 - [3.](#) PLANNING
 - [4.](#) PUBLIC WORKS
 - [5.](#) FINANCE
 - [6.](#) PARKS & RECREATION
 - [7.](#) ADMINISTRATION
 8. MAYOR
- VII. CONSENT AGENDA
 - [A.](#) December 2, 2025 Regular Meeting Minutes
 - [B.](#) Summers Walk Phase II Performance Guarantee - Sidewalks
- VIII. PUBLIC HEARING
 - [1.](#) TXT 25-35 (Roof Signage)
 1. Motion to open public hearing
 2. Public Comments/Questions
 3. Motion to close public hearing

4. Board Comments-Questions

5. Consider a motion to approve the Board of Aldermen Statement of Consistency

6. Consider a motion to approve Ordinance 25-35 amending the Town of Shallotte Unified Development Ordinance, specifically Article 21, Section 21-13(D).

2. TXT 25-34 (Data Centers)

1. Motion to open public hearing

2. Public Comments/Questions

3. Motion to close public hearing

4. Board Comments-Questions

5. Consider a motion to approve the Board of Aldermen Statement of Consistency

6. Consider a motion to approve Ordinance 25-34 amending the Town of Shallotte Unified Development Ordinance, specifically Article 10, Section 10-3(G).

IX. DISCUSSION

X. RECESS - JANUARY 20, 2026 @ 3:00

Taking into consideration the general statute below and the items described on this month's agenda, does any member of the Board of Aldermen or staff have any potential conflicts of interest that should be addressed by the Board at this time? If so, please make those concerns known now.

§ 160D-109. Conflicts of interest.

(a) Governing Board. – A governing board member shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A governing board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

(b) Appointed Boards. – Members of appointed boards shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

(c) Administrative Staff. – No staff member shall make a final decision on an administrative decision required by this Chapter if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. If a staff member has a conflict of interest under this section, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.

No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under this Chapter unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the local government, as determined by the local government.

(d) Quasi-Judicial Decisions. – A member of any board exercising quasi-judicial functions pursuant to this Chapter shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

(e) Resolution of Objection. – If an objection is raised to a board member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection.

(f) Familial Relationship. – For purposes of this section, a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)



Shallotte Police Department

December 2025 Monthly Report

Highlights

- SPD had 4510 calls for service and self-initiated incidents
- 44 traffic accidents
- 33 citations issued
- 149 volunteer hours
- Tree lighting at Mulberry Park
- Shallotte Christmas Parade (route, security, traffic control)
- Holiday Market at Riverwalk
- Shop With A Cop community event hosted by NCFOP
- Assist Southport PD with Christmas parade
- Assisted with Brunswick County Toy Run at Walmart

Incident and Investigations Summary

During the month of December 2025, the Shallotte Police Department's Investigative Division remained highly proactive in safeguarding the community by successfully managing a total of 42 criminal cases. The division's comprehensive investigative efforts resulted in multiple arrest and warrants for arrest issued, which led to the issuance of 3 misdemeanor charges and 17 Felony charges, demonstrating the division's ongoing commitment to maintaining public safety and holding offenders accountable.

Additionally, the division's attention to property crimes proved especially effective, as investigators handled 17 property crime and larceny cases. Through thorough investigation, the division was able to recover approximately \$1500 in stolen funds and property. This recovery highlights the division's success in not only identifying and apprehending criminals, but also ensuring that victims are made whole whenever possible.

Details of some of this month's newly assigned cases and one follow-up are provided below.



Summary of Major Cases

1. Larceny Cases / Property crimes – Multiple Businesses (Shallotte)

- **Incidents:** 17 reported larceny cases at various businesses in Shallotte. 1 Felony Break and Enter case with around \$3000 worth of cash stolen, Detective identified suspect and arrested her the same day.
 - **Outcome:**
 - Detective Division recovered approximately \$1500 worth of stolen merchandise.
-

2. Obtaining Property by False pretense

Details: The Detective division assisted the Holden Beach PD with the recovery of stolen property that was sold at Pawn USA. The detectives recovered around \$1000 worth of stolen jewelry and returned same to the Holden Beach PD. Detectives obtained a warrant for arrest on the offender.

3. Worthless Checks

Details: Detectives received a report for multiple fraudulent / forged checks that were deposited at the State Employees Credit Union. Detectives identified both offenders and obtained warrants for their arrest totaling 14 Felony charges.



TOWN OF SHALLOTTE FIRE/RESCUE

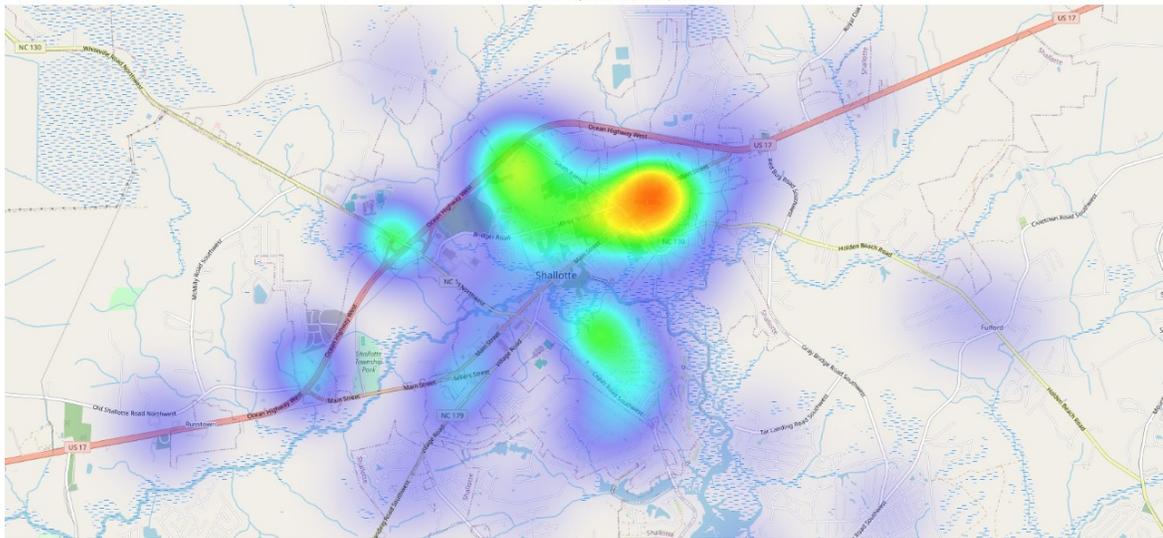
Monthly Activity Report

FISCAL YEAR ENDING 30 JUN 2026
Reporting Period: 27 NOV 2025 – 27 DEC 2025

NCGS § 58-79-45: Incident Reports...

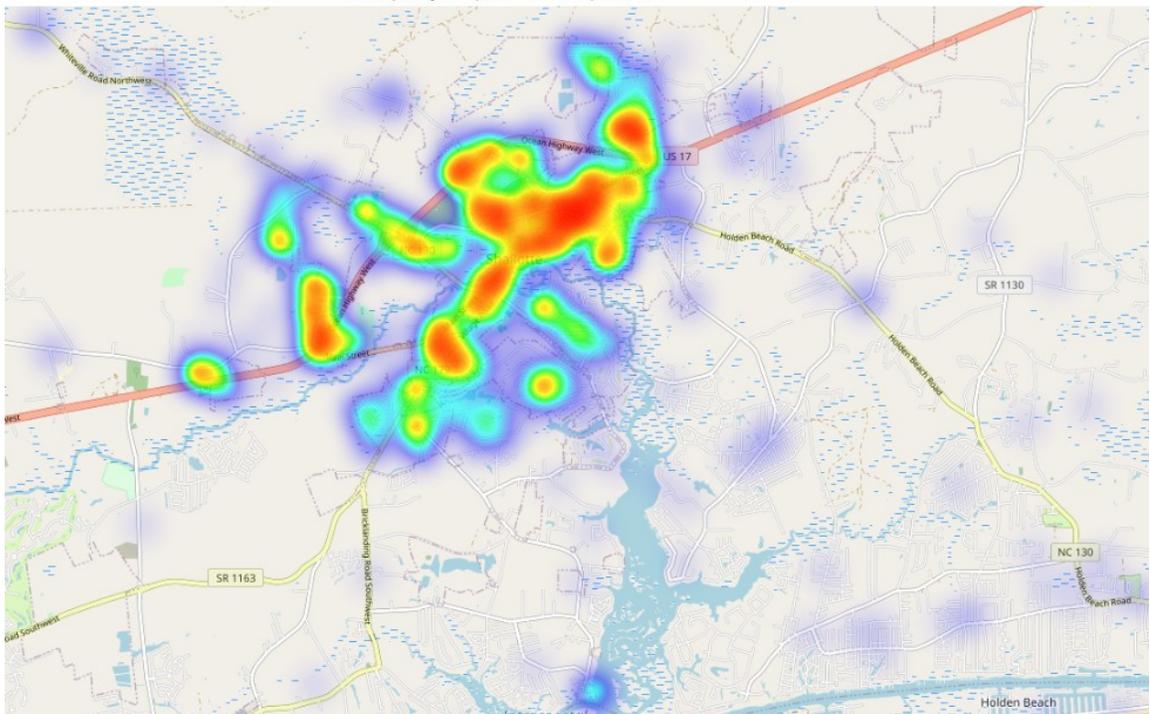
Incident Map Overview (Past 4 weeks)

Scene Locations of Fire Incidents
N = 85 Nov 30, 2025 to Dec 27, 2025



Incident Map Overview (YTD)

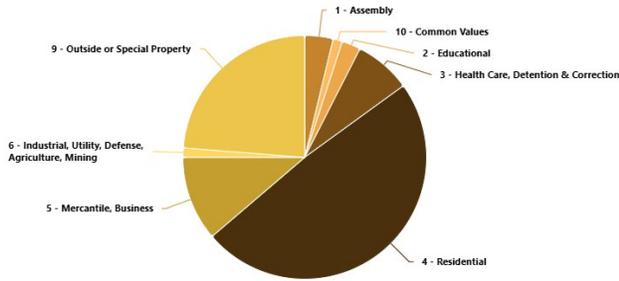
Scene Locations of Fire Incidents
N = 1,197 Jan 01, 2025 to Dec 31, 2025



(Past 4 weeks)

Incidents by Property Use Category

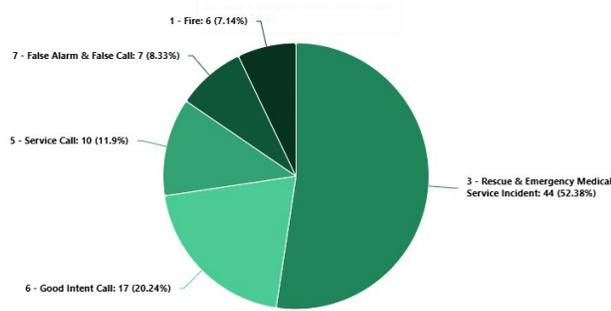
Dec 02, 2025 to Dec 29, 2025



(Past 4 weeks)

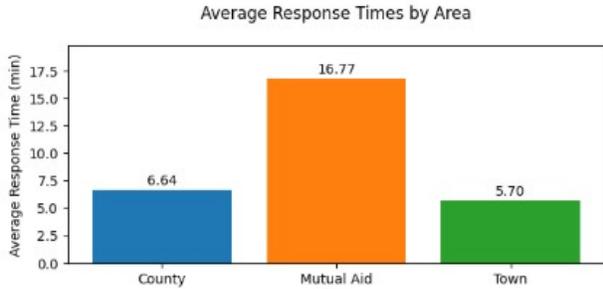
Incident Type Categories

Dec 02, 2025 to Dec 29, 2025



(Past 4 weeks)

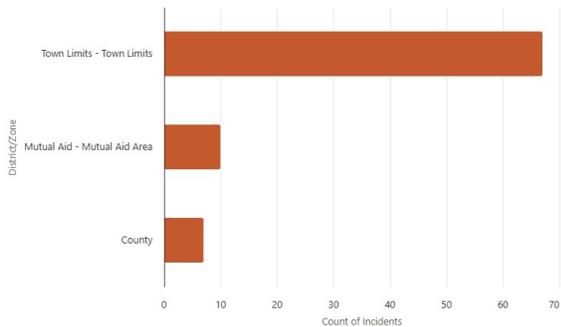
Response Times
DEC 01 - DEC 28



(Past 4 weeks) **Town 67; County 10; Mutual Aid 7**

Incidents by District/Zone

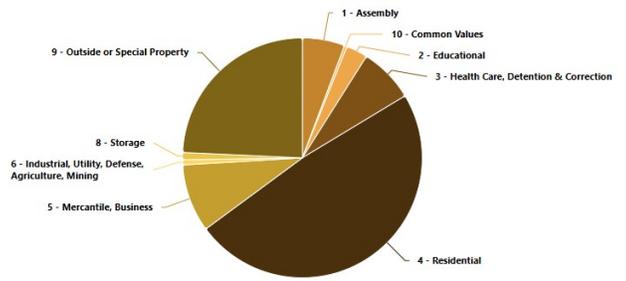
Dec 02, 2025 to Dec 29, 2025



(YTD)

Incidents by Property Use Category

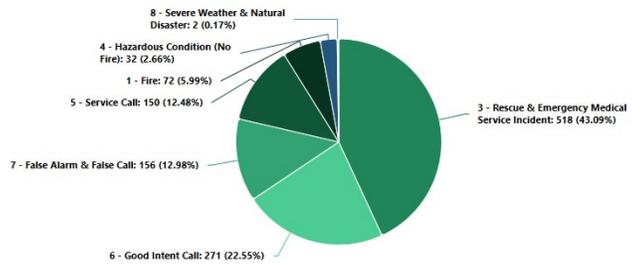
Jan 01, 2025 to Dec 31, 2025



(YTD)

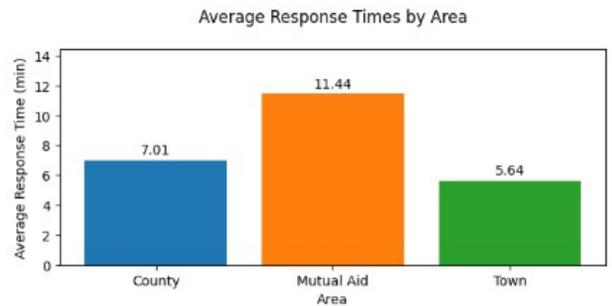
Incident Type Categories

Jan 01, 2025 to Dec 31, 2025



(YTD)

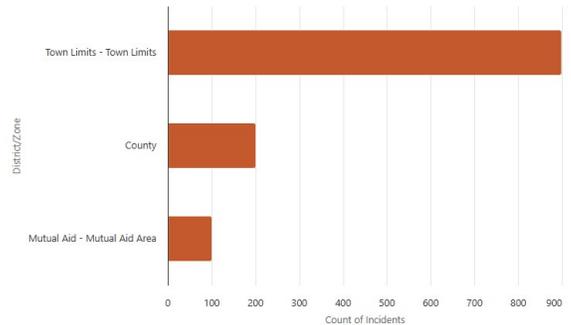
Response Times
JAN 01 - DEC 28



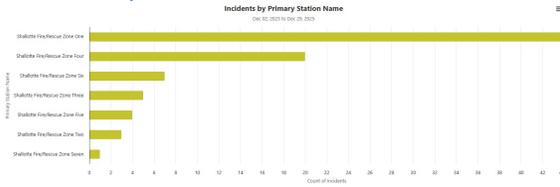
(YTD) **Town 899; County 202; Mutual Aid 101**

Incidents by District/Zone

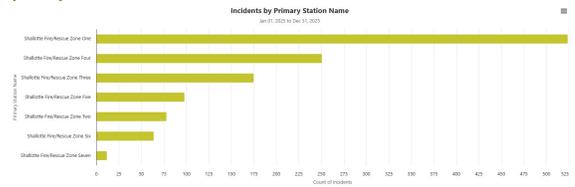
Jan 01, 2025 to Dec 31, 2025



(Past 4 weeks)



(YTD)



Past 4 weeks	Zone Reference by Number of Incidents from Greatest to Lowest	YTD
#1 Zone One = 44	#1 Zone One = Wall St Station (Town Central Commercial District)	#1 Zone One = 524
#2 Zone Four = 20	#2 Zone Four = Red Apple Station area (Rourke Woods/Brierwood/River's Edge/Shallotte Point area)	#2 Zone Four = 251
#3 Zone Six = 7	#3 Zone Three = Naber Dr Station (Shallotte District Park/Wildwood/Union School/McMilly Rd area)	#3 Zone Three = 175
#4 Zone Three = 5	#4 Zone Five = (Green Bay Village/Cardinal Point/Highlands/N Mulberry/Express Dr area)	#4 Zone Five = 98
#5 Zone Five = 4	#5 Zone Two = HWY 130 Station (WBHS/McMilly Rd/Industrial Park area)	#5 Zone Two = 78
#6 Zone Two = 3	#6 Zone Six = (Greybridge Rd/Red Bug Rd/Holden Beach Rd/Solserra area)	#6 Zone Six = 64
#7 Zone Seven = 1	#7 Zone Seven = (SECU/Ford & Chevy/Cumbee Rd areas)	#7 Zone Seven = 12

NCRRS 5: Training...

247:50 hours

- (EMT) Continuing Education
- (ISO) Fire Officer Training
- (ISO) Recruit Training
- (ISO) Company Training
- (ISO) Driver/Operator Training
- (ISO) Facility Training
- (ISO) Community Outreach
- (NCLM) Workers Comp

Notes:

Technical Review (TR) and Code Enforcement Items

- County TRC – Recycling Center
- Town TRC – Forest Ridge
- Town Tech Review – Signage
- Town Tech Review – Pervious Roads
- Environmental Impact Survey – Rourke Woods
- Environmental Impact Survey – Tarklin Ct
- Site Visits – Village Point Rd
- Site Visits – Smith Ave Ext
- Site Visits – Old Shallotte Rd
- Site Visits – Greybridge Rd
- Site Visits – Brierwood

Staffing Notes

- One staff position on light-duty
- One staff position open
 - Chief and Deputy Chief covering staffing shortages when part-time staff are unavailable.
 - New Position Jan 01.
 - Process underway

Other Notables

- Open Investigations
 - Al Street
 - SBI Report Cause and Origin Report Pending
 - Met with the Medical Examiner's Office
- Annual Roster Re-Certifications
 - Relief Fund Board of Trustees
 - Isaac Norris replaces Mimi Gaither as Treasurer
 - Staff Roster

- Four part-timers dropped
 - < 36 hours of training
 - NCGS § 58-86-25
- Heart Saver Community CPR
 - 1 event
- Update Shallotte Hazard Mitigation Plan Actions
 - Submitted to County
 - Reviewed and added to County Regional Plan
- Police Chief Selection
 - Panel Participant
 - Provided comprehensive assessment of candidates
- Meetings with Mayor
 - Fire Tax
 - VFD Chief's Association updates
 - Strategic Planning Overview
 - Fire Study
 - Staffing
 - Equipment
 - Facilities



TOWN OF SHALLOTTE

PLANNING & ZONING DEPARTMENT

TO: Board of Aldermen
FROM: Robert Waring, Planning Director
DATE: January 6, 2026
RE: Monthly Planning Department Report

This memo & attached reports provide a summary of the Planning & Zoning Department in the past month:

1. The Planning Board met on December 9 to review the following:
 - a. TXT 25-35 Rooftop Signs & TXT 25-34 Data Centers
 - b. The Board's next meeting is scheduled for January 13.
2. TRC met December 18 to review the following:
 - a. SUB 25-025 Preliminary Subdivision, 85 Lots Forest St. Ext.
 - b. The next meeting scheduled for January 15
3. Staff attended the bi-monthly traffic impact analysis meetings with NCDOT
4. Staff attended the November GSATS TCC meeting
 - a. The Town's 2025 Collector Street Plan was recommended for approval to the TAC
 - b. Staff met with GSATS to discuss approval of the Town's 2024 DA grant project
5. Staff is still awaiting additional applications for the Community Action Team:
 - a. Michael Norton, PE & Eugene Carrette
 - b. Staff recommends appointing them to serve on the committee and seeking three additional committee members
6. Staff met with developers regarding the potential subdivision (major) of portions of the Brierwood fairways
 - a. Staff informed them that we would not be able to sign a minor sub plat for the area given the Town's limitations on minor subdivisions;
 - b. No applications for major subdivision have been submitted
7. Staff has not received any alternatives for the GSATS/NCDOT adaptive signalization project discussed for Main St.
8. Staff participated in interviews for the Chief of Police position
9. Staff conducted the final zoning inspection for Biscuitville @ 4425 Main St.
10. Please forward any zoning or nuisance complaints to Brandon Eaton, Planner, beaton@townofshallotte.org Phone: (910) 754-4032
11. The Town collected \$118,163 for December 2025
 - a. Fees collected in December 2024 totaled \$47,376

Permit Fee Paid Report Beta

12/1/2025 - 12/30/2025

Permit #	Permit Date	Permit Sub Type	Parcel #	Parcel Address	Fee Amount
4151	12/30/2025	Single Family	197ID015	4413 East Coast Ln	60.00
4151	12/30/2025	Single Family	197ID015	4413 East Coast Ln	100.00
4151	12/30/2025	Single Family	197ID015	4413 East Coast Ln	6,048.00
4151	12/30/2025	Single Family	197ID015	4413 East Coast Ln	2,500.00
4152	12/30/2025	Single Family	197ID024	4277 Frogie Ln	60.00
4152	12/30/2025	Single Family	197ID024	4277 Frogie Ln	100.00
4152	12/30/2025	Single Family	197ID024	4277 Frogie Ln	6,048.00
4152	12/30/2025	Single Family	197ID024	4277 Frogie Ln	2,500.00
4153	12/30/2025	Single Family	197ID030	4300 Frogie Ln	60.00
4153	12/30/2025	Single Family	197ID030	4300 Frogie Ln	100.00
4153	12/30/2025	Single Family	197ID030	4300 Frogie Ln	6,048.00
4153	12/30/2025	Single Family	197ID030	4300 Frogie Ln	2,500.00
4147	12/22/2025	Single Family	213JB021	4649 Swimming Ln	60.00
4147	12/22/2025	Single Family	213JB021	4649 Swimming Ln	100.00
4147	12/22/2025	Single Family	213JB021	4649 Swimming Ln	4,536.00
4147	12/22/2025	Single Family	213JB021	4649 Swimming Ln	2,500.00
4148	12/22/2025	Single Family	213JB020	4653 Swimming Ln	60.00
4148	12/22/2025	Single Family	213JB020	4653 Swimming Ln	100.00
4148	12/22/2025	Single Family	213JB020	4653 Swimming Ln	4,536.00
4148	12/22/2025	Single Family	213JB020	4653 Swimming Ln	2,500.00
4149	12/22/2025	Single Family	213JB019	4657 Swimming Ln	4,536.00
4149	12/22/2025	Single Family	213JB019	4657 Swimming Ln	2,500.00
4149	12/22/2025	Single Family	213JB019	4657 Swimming Ln	60.00
4149	12/22/2025	Single Family	213JB019	4657 Swimming Ln	100.00
4150	12/22/2025	Single Family	213JB018	4661 Swimming Ln	60.00
4150	12/22/2025	Single Family	213JB018	4661 Swimming Ln	100.00
4150	12/22/2025	Single Family	213JB018	4661 Swimming Ln	3,024.00
4150	12/22/2025	Single Family	213JB018	4661 Swimming Ln	2,500.00
4146	12/17/2025	Single Family	2141D019	749 Bay Creek Dr	4,536.00
4146	12/17/2025	Single Family	2141D019	749 Bay Creek Dr	100.00
4146	12/17/2025	Single Family	2141D019	749 Bay Creek Dr	8,500.00
4144	12/16/2025	Single Family	2300001601	1376 Riverbend Dr	300.00
4144	12/16/2025	Single Family	2300001601	1376 Riverbend Dr	100.00
4144	12/16/2025	Single Family	2300001601	1376 Riverbend Dr	4,536.00
4144	12/16/2025	Single Family	2300001601	1376 Riverbend Dr	8,500.00
4145	12/16/2025	Single Family	198JB056	390 Lamer Loop	4,536.00
4145	12/16/2025	Single Family	198JB056	390 Lamer Loop	300.00
4145	12/16/2025	Single Family	198JB056	390 Lamer Loop	100.00
4145	12/16/2025	Single Family	198JB056	390 Lamer Loop	8,750.00
4143	12/11/2025	New Occupant	1820014202	4521 Main St	100.00
4142	12/9/2025	Building Addition	198ID023	326 River Village Sq	100.00
4141	12/5/2025	Change of Use	197DC001	4810 Main St	100.00
4140	12/3/2025	Food Truck			50.00
4138	12/1/2025	Accessory Structure	1820007101	2650 Ocean Hwy W	100.00
4139	12/1/2025	Single Family	198OB010	2084 Arnold Palmer Dr	100.00
4139	12/1/2025	Single Family	198OB010	2084 Arnold Palmer Dr	4,536.00
4139	12/1/2025	Single Family	198OB010	2084 Arnold Palmer Dr	2,500.00
3721	6/28/2024	New Commercial	1820012903	2811 Ocean Hwy W	16,923.75
					118,163.75

Total Records: 48

12/30/2025

Monthly Code Report (Town of Shallotte, NC) 12/2025
Prepared by Brandon Eaton, CZO, CCEO (Planner II/Code Enforcement)

Public Nuisances

1. Case Number: PN-24-005 (4450 Main Street)

Original Complaint: Tall grass/junk, etc.* See also Z-24-007

Latest Update: 12/19/25

- CE preparing for contract abatement of property.
- Property owner has still not completed abatement. Code Enforcement has no new word on judgement. Public records show that property was recently arrested and has a court hearing scheduled for December of 2025. Mr. Simmons is out on a secured bond, so CE believes service of judgement information should be able to be accomplished.
- BOA addressed the case at their 8/5/25 meeting. Town attorney informed that service has not been made on issued injunction. CE is unaware if service has been made since 8/5/25.
- The time allotted for abatement during the judgement has passed without any compliance.
- The case was heard by Brunswick County District Court on 5/28/2025.
- A judgment was issued in favor of the Town to compel the property owner to comply with the Town's order of abatement and payment of civil penalties issued in the amount of \$20,000 (\$10,000 per parcel in violation).
- The property owner has 30 days to comply. After 30 days, the Town may abate the violations in full, charging the property owner for any related expenses.
- The Town was awarded attorney fees related to the motion.

2. Case Number: PN-24-006 (4479 Main Street)

Original Complaint: Tall grass/junk, etc.* See also Z-24-008

Latest Update: 12/19/25

- CE preparing for contract abatement of property.
- Property owner has still not completed abatement. Code Enforcement has no new word on judgement. Public records show that property owner was recently arrested and has a court hearing scheduled for December of 2025. Mr. Simmons is out on a secured bond, so CE believes service of judgement information should be able to be accomplished.
- BOA addressed the case at their 8/5/25 meeting. Town attorney informed that service has not been made on issued injunction. CE is unaware if service has been made since 8/5/25.
- The time allotted for abatement during the judgement has passed without any compliance.
- The case was heard by Brunswick County District Court on 5/28/2025.
- A judgment was issued in favor of the Town to compel the property owner to comply with the Town's order of abatement and payment of civil penalties issued in the amount of \$20,000 (\$10,000 per parcel in violation).
- The property owner has 30 days to comply. After 30 days, the Town may abate the violations in full, charging the property owner for any related expenses.
- The Town was awarded attorney fees related to the motion.

3. Case Number: PN-25-007 (27 Brierwood Rd.)

Original Complaint: Tall grass, debris, dilapidated structure. Surrounding property owners have been maintaining the property as they can.

Latest Update: 12/29/25

- Property owner reached out to CE to discuss use of the former golf maintenance building as a “personal shed”. As the conversation continued, the property owner alluded to the fact that the shed would actually be used as an accessory entertainment facility to his “Air BnB” that will be operated out of his personal residence in the former clubhouse. CE informed the property owner that such a use would not be residential/short term rental in nature, and instead would be a commercial use needed zoning approval.
- Property owner is working to convert the former clubhouse on the property into a single-family residence (which is permitted in this zoning district). In doing so, violations are being addressed. CE will recheck in two weeks for a follow-up.
- Property owner has installed a wire fence around the former parking area that CE has deemed a safety hazard. The property owner has been informed that corrective measures must take place.
- Property owner has been working to abate violations. Property scheduled for reinspection.
- A new inspection is scheduled for 7/29/2025. Civil penalties will begin if violations remain. An order will also be issued relating to nonresidential violations.
- Violation notice mailed. The owner had until 7/25/25 to abate violations.
- A hearing before the code enforcement officer was scheduled for 7/24/25 relating to nonresidential code violations. The property owner did not show up or reach out to CE.

4. Case Number: PN-25-008 (98 Wildwood St.)

Original Complaint: Tall grass, debris, downed silt fencing.

Latest Update: 12/19/25

- CE conducted a site visit. Some violations have been addressed, but more have surfaced since the last visit. Contact is being made with property owner to discuss.
- CE Still working to have the remaining violations abated.
- Some work completed, but abatement still needed. CE is reaching out to property owner.
- Violations have not been abated as required. Final notice being sent to serve as last step before civil penalties.
- NOV mailed. Owner has until 8/6/25 to comply.

5. Case Number: PN-25-011 (Tryon Rd NW)

Original Complaint: Illegal dumping/junk.

Latest Update: 12/19/25

- No response received from initial contact. Follow-up inspection and notice scheduled.
- Abatement notice mailed. Owner has until 11/14/25 to make corrections.
- 9/25/25, contact attempted.
- Inspection shows what seems to be a crushed vehicle and other metal junk.

6. Case Number: PN-25-013 (103 Forest Dr.)

Original Complaint: Tall grass/weeds, potential nuisance structure.

Latest Update: 11/18/25

- Courtesy contact made.

Zoning Violations

1. Case Number: Z-24-007

Original Complaint: 4450 Main St. Old junk mobile home that was once used for office, shipping container, nuisances.

Latest Update: 12/19/25

- CE preparing for contract abatement of property.
- Property owner has still not completed abatement. Code Enforcement has no new word on judgement. Public records show that property was recently arrested and has a court hearing scheduled for December of 2025. Mr. Simmons is out on a secured bond, so CE believes service of judgement information should be able to be accomplished.
- BOA addressed the case at their 8/5/25 meeting. Town attorney informed that service has not been made on issued injunction. CE is unaware if service has been made since 8/5/25.
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- The property owner has 30 days to comply. After 30 days, the Town may abate the violations in full, charging the property owner for any related expenses.
- The Town was awarded attorney fees related to the motion.

2. Case Number: Z-24-008

Original Complaint: 4479 Main St. Old junk mobile home that was once used for auto sales business. Sign violation. Accessory structure violation and nuisances.

Latest Update: 12/19/25

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- The Town was awarded attorney fees related to the motion.

3. Case Number: Z-24-009

Original Complaint: Crane business not meeting the conditions of an issued special use permit.

Latest Update: 12/29/25

- CE is still waiting on court date and information.

- *Property owner has filed an appeal in Superior Court.*
- *Town Clerk mailed Board Findings to property owner via certified mail*
- *Board of Adjustment hearing was conducted on 2/27/2025.*

4. Case Number: Z-25-005 (4600 Main Street)

Original Complaint: *Illegal signage and potential business operating without zoning approval.*

Latest Update: *12/19/25*

- *CE waiting on response from property owner.*
- *Final notice mailed to property owner on 11/25/2025.*
- *Business owner reached out to ask for more time. Said that property owner had not given them the notice.*
- *CE has not had any response to NOV. CE removed sign in ROW.*
- *Notice issued 5/28/25.*
- *Inspection conducted on 5/21/25. Business operating without zoning approval.*
- *CE opened a case and has initiated the inspection and notice process.*

5. Case Number: Z-25-008 (5285 Main St Unit 1)

Original Complaint: *Restaurant operating outside of the conditions approved in the initial permit. Business is also preparing food inside a semi-permanent food truck/trailer to serve inside in a seated environment. Illegal signage also installed.*

Latest Update: *12/29/25*

- *The business owner is now operating the food truck around Town without a permit. CE has reached out to inform the owner of the business that he must have a mobile food unit permit to operate in the Town.*
- *11/18/25, CE spoke to County Environmental Health. A new business has applied to move into the building. CE will reinspect to determine if violations are removed with change of use on 12/1/2025.*
- *10/28/25, courtesy notice mailed to outline ordinance updates. Code Enforcement continues to monitor for compliance.*
- *9/26 inspection shows food truck has returned. Parked in no parking area. New notice being mailed to address newly adopted UDO violations.*
- *The tenant still does not have a valid food truck permit but has not been seen cooking on site to serve in the restaurant. CE has been in communication with the County regarding potential health code violations and is crafting a comprehensive list of violations and necessary abatement requirements, which include revocation of the original permit (which was applied for using incorrect information) and the stipulation that the tenant must apply for a new permit to continue operations as a restaurant. This does **not** permit the tenant to cook and/or prepare food on the food truck and sell inside the restaurant.*
- *Sign has been removed from ROW as well.*
- *Property owner reached out on 7/30/25 to ask for a week to try and get the tenant to come into full compliance.*
- *Notice issued 6/25/25.*
- *Inspection conducted on 6/18/25.*

6. Case Number: Z-25-015 (1360 Whiteville Rd.)

Original Complaint: *Camper being used as a dwelling. Business operating without zoning approval.*

Latest Update: *12/29/25*

- *Business owner has been working with CE to bring the property into compliance. An application was received as of 12/29/25 and is under review.*
- *CE has been attempting to get owner to correct issues, but violations remain. Notice of violation mailed to property owner on 11/24/2025.*

- 10/28/25, complainant is subleasing the property to the business owner. CE has given the complainant until 11/4/25 to compel the business owner to comply before CE issues a notice.

7. Case Number: Z-25-016 (Former Pizza Hut Main St.)

Original Complaint: Food truck business operating without zoning approval.

Latest Update: 12/19/25

- Food truck has not been seen. CE will monitor.
- Brunswick County Health Department reach out to CE to report a food truck operating without a health certificate.
- CE to issue notice to property owner, as food truck is only operating during non-business hours.

8. Case Number: Z-25-017 (Southeastern Christian Academy)

Original Complaint: Shipping/cargo containers being used as accessory structures.

Latest Update: 12/30/25

- Notice of violation drafted to issue on 12/31/25.
- Site inspection conducted on 12/19.

Vehicles

Currently no cases

Public Works Monthly Report

December 2025

To: *Board of Aldermen*

From: *Dan Formyduval, Director of Public Services*

Sewer

- Responded to **17** sewer calls during the day and **9** after hours.
- Randomly inspected **18** pressure sewer services.
- Replaced a pumps at the Heartsease lift stations.
- Installed two residential pressure services and moved a third.
- Replaced one check valve at the Highlands lift station.
- Replaced a Pump and educated a restaurant owner on grease trap servicing.
- Relocated gravity sewer cleanouts on Edom Ln for new construction.
- Met with a representative from NC Rural water to discuss Ground Penetrating Radar location of existing utility.
- Continued repair of Air Release Valves.
- Recovered one of the buried sewer manholes in River's Edge.

Parks & Streets

- Have begun prepping beds in Mulberry Park for spring mulching.
- Completed continuing education for Pesticide License
- Removed trees from drainage culverts on Edinburgh Dr.

Construction & Engineering

- Responded to **169** NC811 locate tickets.

- Participated in weekly meetings with contractors working on Price Landing.
- Witnessed Pressure testing for sewer in Forest Run
- Witnessed Pressure testing for sewer in Summers Walk Phase 2.
- Witnessed the installation of the wet well for the Creek Tide Landing lift station.
- Witnessed proof roll for Forest Run streets.
- Conducted Pre Construction meeting for Spectrum construction on Shallotte Ave.

Fleet Maintenance

- (1) Oil Change For PD
- (2) Repairs for FD
- (5) Repairs for Maintenance
- Rebuild of Boring tool
- (2) Oil changes for maintenance
- Repair of control panel for flashing sign
- Continued up fitting on New Police vehicles



Wet Well and Receiving Sewer manhole for Creek Tide Landing



TOWN OF SHALLOTTE

Monthly Financial Dashboard

FISCAL YEAR ENDING June 30, 2026

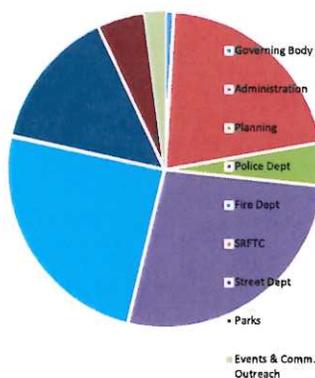
Reporting Period: December 31, 2025

SPECIFIC REVENUE COLLECTIONS AT A GLANCE...			
General Fund	Collected TD	FY Budget	Total Budget
PROPERTY TAX		\$ 3,781,720	\$ 11,083,927
Revs YTD/% Coll/% of Budget	\$ 2,199,244	58.15%	34.12%
SALES & USE TAX			
Fiscal Year Budget	\$ 2,120,223	\$ 11,083,927	
Revs YTD/% Coll/% of Budget	\$ 584,783	27.58%	19.13%
UTILITY FRANCHISE TAX			
Fiscal Year Budget	\$ 552,973	\$ 11,083,927	
Revs YTD/% Coll/% of Budget	\$ 143,647	25.98%	4.99%
FIRE FEES			
Fiscal Year Budget	\$ 1,302,407	\$ 11,083,927	
Revs YTD/% Coll/% of Budget	\$ 634,519	48.72%	11.75%
OTHER REVENUES			
Fiscal Year Budget	\$ 3,326,604	\$ 11,083,927	
Revs YTD/% Coll/% of Budget	\$ 1,554,296	46.72%	30.01%
Enterprise Fund			
OTHER REVENUES		\$ 4,032,392	\$ 7,650,109
Revs YTD/% Coll/% of Budget	\$ 3,159,950	78.36%	52.71%
SYSTEM DEV FEES		\$ 439,707	\$ 7,650,109
Revs YTD/% Coll/% of Budget	\$ 360,620	82.01%	5.75%
			\$ 7,650,109
Revs YTD/% Coll/% of Budget	\$ -	0.00%	0.00%
SEWER CHARGES		\$ 3,178,010	\$ 7,650,109
Revs YTD/% Coll/% of Budget	\$ 1,477,289	46.48%	41.54%
FUND TOTALS		90% of Budget	
General Fund		\$ 11,083,927	\$ 9,975,534
Revenues FYTD	\$ 5,116,490	46%	
Enterprise Fund		\$ 7,650,109	\$ 6,885,098
Revenues FYTD	\$ 4,997,859	65%	

EXPENDITURES AT A GLANCE...			
GENERAL FUND	Fiscal Year	YTD Expenses	
DEPARTMENTS	25/26 Budget	Current FY	Current FYTD%
Governing Body	\$ 100,820	\$ 41,460	41.12%
Administration	1,720,059	1,005,467	58.46%
Planning	535,281	252,579	47.19%
Police Dept	3,687,413	2,111,849	57.27%
Fire Dept	2,205,537	1,106,849	50.19%
SRFTC	8,039	2,711	33.72%
Street Dept	2,023,650	880,448	43.51%
Parks	543,898	215,927	39.70%
Events & Comm. Outreach	259,230	124,940	48.20%
	\$ 11,083,927	\$ 5,742,229	51.81%
Fiscal Year Budget	\$ 11,083,927	\$ 5,742,229	
Unspent Budget Remaining	\$ 5,341,698	48.19%	
ENTERPRISE FUND	Fiscal Year	YTD Expenses	
DEPARTMENTS	25/26 Budget	Current FY	Current FYTD%
Sewer Department	\$ 7,650,109	\$ 4,886,382	63.87%
	\$ 7,650,109	\$ 4,886,382	63.87%
Fiscal Year Budget	\$ 7,650,109	\$ 4,886,382	
Unspent Budget Remaining	\$ 2,763,727	36.13%	

OUR CASH AND INVESTMENTS			
Balances on Dec 30, 2025 in whole dollars - Bold -As of 11-30-25			
CASH & INVESTMENTS BY FUND			
GENERAL FUND			
	June 2025	Dec 2025	
General Fund	\$ 967,876	\$ 1,270,926	
NCCMT	9,222,400	8,948,692	
General Fund Savings	49,619	25,006	
TOTAL GENERAL FUND	\$ 10,239,895	\$ 10,244,625	
ENTERPRISE FUNDS			
	June 2025	Dec 2025	
Sewer Fund	\$ 1,069,349	\$ 1,100,543	
NCCMT	3,862,465	4,192,574	
Sewer Fund Savings	86,636	25,007	
TOTAL OTHER FUNDS	\$ 5,018,449	\$ 5,318,124	
Fines and Forfeitures Fd	\$ 100	\$ 100	
Police Evidence Acct	313	119	
Capital Project Acct	1,861,172	649,618	
TOTAL CASH & INVESTMENTS TOWN-WIDE			
	June 2025	Dec 2025	
ALL FUNDS	\$ 17,119,929	\$ 16,212,585	

General Fund



Capital Project - Riverfront Project

CP Expenditures	FY Budget	Current Exp
Mulberry Park	\$ 1,662,873.00	\$ 690,491.31
Riverwalk II	\$ 1,132,300.20	\$ 363,398.96
Professional Svc	\$ 170,178.95	\$ 4,700.00
Price Landing Cap	\$ 2,500,000.00	\$ 2,242,699.99
New Town Hall	\$ 17,494,785.00	\$ 424,705.79
Cheers St Parking	\$ 337,396.00	\$ -
Total	\$ 23,297,533.15	\$ 3,725,996.05
CP Revenues	FY Budget	Current Rev
App Fund Balance	\$ 250,000.00	\$ -
Transfer from GF	\$ 2,982,177.16	\$ 644,543.83
Grant-Riverwalk	\$ 250,000.00	\$ -
SCIF Grant-Riverw	\$ 815,355.99	\$ 368,098.96
SCIF Grant-Mulb	\$ 3,000,000.00	\$ 2,742,699.99
USDA Loan	\$ 16,000,000.00	\$ -
Total	\$ 23,297,533.15	\$ 3,755,342.78

Capital Project



Cash:	December-24	December-25	<u>Difference</u>
General Fund	\$ 11,057,116	\$ 10,244,625	
Sewer Fund	5,215,025	5,318,124	
Special Revenue Fd	100	100	
Police Evidence Acct	313	119	
Capital Account	<u>2,779,968</u>	<u>649,618</u>	
	\$ 19,052,522	\$ 16,212,585	(2,839,937)
Receipts for December 25:			
Sept 2025 Sales Tax	177,576.63		
Powell Bill Proceeds	94,436.58		
Nov 25 Town Prop taxes	942,228.05		
Nov 25 NCDMV	21,073.68		
Franchise Tax 1st Qtr 25-26	143,647.26		

NCCMT Interest Rate May 25	4.28%
NCCMT Interest Rate June 25	4.14%
NCCMT Interest Rate July 25	4.30%
NCCMT Interest Rate August 25	4.30%
NCCMT Interest Rate September 25	4.11%
NCCMT Interest Rate October 25	4.13%
NCCMT Interest Rate November 25	3.85%



Town Of Shalotte

Expenditure Statement : 2025 - 2026 for Accounting Period 12/31/2025

GENERAL FUND								
Dept #	Department	Approp Amount	Activity this Period	Expenditure YTD	Encumbrance YTD	Unencumbered Balance	% Exp. & Enc.	
4100	Governing Body	\$100,820.00	\$40,459.95	\$40,459.95	\$999.98	\$59,360.07	41.12	
4200	Administration	\$1,720,058.85	\$1,003,322.68	\$1,003,322.68	\$2,144.73	\$714,591.44	58.46	
4300	Planning Department	\$535,281.04	\$252,578.50	\$252,578.50	\$0.00	\$282,702.54	47.19	
4400	Events & Community Outreach	\$259,230.00	\$124,601.72	\$124,601.72	\$337.80	\$134,290.48	48.20	
5100	Police	\$3,687,412.97	\$2,094,743.28	\$2,094,743.28	\$17,105.53	\$1,575,564.16	57.27	
5300	Fire	\$2,205,537.31	\$1,116,169.16	\$1,116,169.16	(\$9,320.20)	\$1,098,688.35	50.19	
5400	SRFTC	\$8,038.87	\$2,710.78	\$2,710.78	\$0.00	\$5,328.09	33.72	
5600	Streets	\$2,023,650.00	\$840,934.53	\$840,934.53	\$39,513.82	\$1,143,201.65	43.51	
5700	Parks	\$543,898.00	\$252,157.63	\$252,157.63	(\$36,230.63)	\$327,971.00	39.70	
Total Fund	GENERAL FUND	\$11,083,927.04	\$5,727,678.23	\$5,727,678.23	\$14,551.03	\$5,341,697.78	51.81	



Town Of Shalotte
Expenditure Statement : 2025 - 2026
for Accounting Period 12/31/2025

ENTERPRISE FUND		Approp Amount	Activity this Period	Expenditure YTD	Encumbrance YTD	Unencumbered Balance	% Exp. & Enc.
	Dept # Department						
	8200 Sewer	\$7,650,108.92	\$4,757,180.14	\$4,757,180.14	\$129,201.63	\$2,763,727.15	63.87
	Total Fund ENTERPRISE FUND	\$7,650,108.92	\$4,757,180.14	\$4,757,180.14	\$129,201.63	\$2,763,727.15	63.87
	Grand Total	\$18,734,035.96	\$10,484,858.37	\$10,484,858.37	\$143,752.66	\$8,105,424.93	56.73

Parks & Recreation

January Board Report

December Recap

Tree Lighting

The Tree Lighting event had great attendance with performances from two local schools, bringing families and community members together. The event included a coffee food truck and photos with Santa.

Christmas Parade

The parade was a success despite unfavorable weather forecasts. There were no safety concerns or major issues reported, and the event ran smoothly.

Holiday Market at the Riverwalk

The market was very well attended by the public. While vendor participation was slightly lower than other holiday markets due to competition with Southport, Santa was a highlight. Both vendors and community members consistently expressed how much they enjoy the Riverwalk location.

What's Ahead

Planning is underway for the **2026 event schedule**.

Community Garden Newsletter

January 2026



JANUARY IN THE RAISED GARDEN BED

PLANNING, PREPARING & DREAMING OF SPRING
JANUARY IS A QUIETER MONTH IN THE GARDEN, BUT IT'S ONE OF THE MOST IMPORTANT TIMES OF THE YEAR FOR SETTING YOURSELF UP FOR SUCCESS. WHILE MANY BEDS MAY BE RESTING, THERE'S STILL PLENTY YOU CAN DO NOW TO PREPARE FOR A PRODUCTIVE GROWING SEASON AHEAD.



WHAT'S HAPPENING IN THE GARDEN

COLD TEMPERATURES SLOW PLANT GROWTH, BUT YOUR RAISED BEDS ARE STILL HARD AT WORK. SOIL ORGANISMS CONTINUE BREAKING DOWN ORGANIC MATTER, IMPROVING STRUCTURE AND FERTILITY FOR SPRING PLANTING.



JANUARY GARDEN TO-DO LIST

- CLEAN UP BEDS
- REMOVE OLD PLANT DEBRIS AND WEEDS TO PREVENT PESTS AND DISEASE.
- PROTECT YOUR SOIL
- ADD MULCH, STRAW, OR LEAVES TO INSULATE SOIL AND PREVENT EROSION.
- TEST YOUR SOIL
- WINTER IS A GREAT TIME TO TEST SOIL PH AND NUTRIENTS SO AMENDMENTS CAN BE ADDED EARLY.
- ADD COMPOST
- TOP OFF BEDS WITH COMPOST TO ENRICH SOIL WHILE IT RESTS.

COMMUNITY GARDEN REMINDERS FOR THE GROWING SEASON

THANK YOU ALL FOR YOUR PARTICIPATION IN THE COMMUNITY GARDEN. I AM EXCITED TO SEE WHAT THIS GROWING SEASON BRINGS AND APPRECIATE YOUR COMMITMENT TO KEEPING OUR GARDEN A POSITIVE AND PRODUCTIVE SPACE FOR EVERYONE.

AS WE MOVE INTO THE UPCOMING SEASON, PLEASE KEEP THE FOLLOWING REMINDERS IN MIND:

- PESTICIDES: IF PESTICIDES ARE NEEDED, THEY MUST BE APPLIED BY A LICENSED PROFESSIONAL ONLY. PLEASE CONTACT ME, AND I WILL COORDINATE WITH THE APPROPRIATE STAFF.
- TOOLS: ONLY HAND TOOLS ARE PERMITTED FOR USE IN THE GARDEN BEDS.
- WATER CONSERVATION: PLEASE CONSERVE WATER WHENEVER POSSIBLE AND USE RAIN BARRELS IF AVAILABLE.
- CLEANLINESS: DISPOSE OF ALL GARDEN DEBRIS IN THE PROPER RECEPTACLES PROVIDED.

MOST IMPORTANTLY:

DO NOT PICK FROM ANOTHER GARDEN BED.

THIS WILL RESULT IN IMMEDIATE EXPULSION FROM THE COMMUNITY GARDEN. THANK YOU FOR YOUR COOPERATION AND FOR HELPING MAINTAIN A RESPECTFUL AND ENJOYABLE ENVIRONMENT FOR ALL GARDENERS. LET'S MAKE THIS A SUCCESSFUL SEASON!

GARDEN TIP:

HEALTHY SOIL =

HEALTHY PLANTS





MEMORANDUM

TO: BOARD OF ALDERMEN
FROM: MIMI GAITHER, TOWN MANAGER
SUBJECT: MANAGER'S REPORT - NOVEMBER 2025 MEETING
DATE: 1.2.26

- Phone Conf Attny re Price Landing - 12.1.25
- BOA Meeting - 12.2.25
- Update on Price Landing 12.3.25
- Meet with new Mayor 12.4.25
- Vacation - 12.8-12.12
- Prep for Chief Interviews 12.16.25
- Town Christmas Party 12.16.25
- Chief Interviews 12.17.25
- Review Scoring sheets from Chief interviews 12.18.15
- Price Landing 12.19.25
- Meet with HR re Chief position 12.22.25
- Town Hall Closed Holiday 12.24-12.26
- Update with Attny re Price Landing 12.29.25
- DH Meeting 12.30.25
- Out of Office 12.29-1.2
- Town Hall Closed 1.1.26

Project Update – Price Landing

No changes from the update email of 12.23.25 other than some minor landscaping. Hopefully we will have McGill’s report and more information by the BOA Tuesday.

Fire Fee Update

As you may have heard, the County is planning to propose a 10 million dollar influx into the Fire Departments. How that money is to be distributed and the requirements of receipt are not exactly known. It is my understanding that this will be proposed at the Jan 20th meeting of the County Board.

Town Hall Complex

The Samet contract is still be worked on by the attorney. At our workshop meeting on Jan 20th, Samet and Creech will be present to update the BOA.

Workshop scheduled for Jan 20. We will start at 3:00.

SHALLOTTE BOARD OF ALDERMEN

REGULAR MEETING

December 2, 2025

5:15 P.M.

The Shallotte Board of Aldermen met for a regular meeting on December 2, 2025 at 5:15 p.m. in the meeting chambers located at 110 Cheers Street with Mayor Walt Eccard presiding.

Aldermen present: Gene Vasile, Karmen Custer, Bobby Williamson, Larry Harrelson and Jimmy Bellamy

Staff present: Mimi Gaither, Robert Waring, Brandon Eaton, Natalie Goins, Isaac Norris, Adam Stanley, Paul Dunwell, Dan Formyduval and Attorney Laura Thompson

I. CALL TO ORDER

Mayor Eccard called the meeting to order. A motion was made by Jimmy Bellamy seconded by Karmen Custer to open the meeting. Motion carried 5 yes 0 no.

II. INVOCATION & PLEDGE

Susan Usher gave the Invocation followed by the Board and audience reciting the Pledge of Allegiance.

III. OATHS OF OFFICE

Town Clerk Natalie Goins administered the Oath of Office to the following:

Mayor – Art Dornfeld
Alderman – Gene Vasile
Alderman – Jimmy Bellamy

Outgoing Mayor Walt Eccard congratulated newly elected Mayor Art Dornfeld and vacated the mayoral seat. Mayor Dornfeld then assumed the seat and expressed his appreciation to Mayor Eccard for his 20 years of service to the Town.

IV. APPOINTMENT OF MAYOR PRO-TEMPORE

Mayor Dornfeld opened the floor for nominations for Mayor Pro Tem. Jimmy Bellamy nominated Karmen Custer, and the nomination was seconded by Bobby Williamson. Larry Harrelson nominated Gene Vasile, and the nomination was seconded by Karmen Custer. Hearing no further nominations, Mayor Dornfeld asked to close nominations. A motion to close nominations was made by Jimmy Bellamy and seconded by Larry Harrelson. Mayor Dornfeld called for a vote on nominee Karmen Custer, with votes cast by Jimmy Bellamy, Bobby Williamson, and Karmen Custer. Mayor Dornfeld then called for a vote on nominee Gene Vasile, with votes cast by Larry Harrelson and Gene Vasile. By a vote of 3–2, Karmen Custer was appointed Mayor Pro Tem.

V. CONFLICT OF INTEREST

Mayor Dornfeld asked if any member of the Board had a conflict of interest or the appearance of a conflict of interest with regard to any item on the agenda. None identified.

VI. AGENDA AMENDMENTS & APPROVAL OF AGENDA

A motion was made by Jimmy Bellamy seconded by Bobby Williamson to approve the agenda as submitted. Motion carried 5 yes 0 no.

VII. PUBLIC COMMENTS

VIII. DEPARTMENT REPORTS

1. Police

2. Fire

3. Planning

4. Public Utilities

Director of Public Services Dan Formyduval provided an overview of potential expansion of the Town's sewer utility over the next 20 years. He distributed a map showing areas with existing utility (green), planned developments under construction (yellow), and areas with recent developer inquiries (dark pink). He explained this was part of a request to the county to increase flow capacity, requiring a 20-year perspective plan. He asked board members to review the map over the next 30 days so a formal submission could be prepared in January.

A. Bill Adjustment

A motion was made by Karmen Custer seconded by Jimmy Bellamy to approve a requested bill adjustment for Davidge Dellinger (2930 Ash Dr.) Motion carried 5 yes 0 no.

5. Finance

6. Media & Events

7. Administration

A. Expiring Board Appointments - January 2026

A motion was made by Gene Vasile, seconded by Karmen Custer, to approve the listed reappointments, with one modification: appointing Isaac Norris to replace Mimi Gaither on the Fireman's Relief Fund. Motion carried 5 yes 0 no.

ABC Board

1. Gordy Lewis (Roy Mintz term)

Fireman's Relief Fund

1. Tony Hewett

2. Mimi Gaither - Appoint Isaac Norris

COG Representatives

- 1. Bobby Williamson
- 2. Gene Vasile (Alternate)

Shallotte Tourism Development Authority (STDA)

- 1. Brian McCall - Chairman

IX. CONSENT AGENDA

A motion was made by Jimmy Bellamy seconded by Bobby Williamson to approve the following consent agenda items:

Motion carried 5 yes 0 no.

- A. November 5, 2025 Regular Meeting Minutes
- B. November 18, 2025 Work Session Meeting Minutes
- C. Summers Walk
- D. ANX 25-33 (Clerk Certification of Sufficiency – 0 Smith Avenue)
- E. Future Land Use Map Agreement

A motion was made by Larry Harrelson seconded by Gene Vasile to approve the amended contract, removing paragraph 7. Indemnification and paragraph 8. Independent Legal Review. Motion carried 5 yes 0 no.

X. PUBLIC HEARINGS

1. Rezoning (Hayden Pointe Phase 4-6)

Parcel IDs # 1820004221 & 1820004201
96.03 Acres
Shallotte B-2 & RA-15 to Shallotte PUD

Town Planning Director Robert Waring gave an overview of the rezoning request of 96 acres located along Forest Street Extension and Hwy 17. The project would form phases 4-6 of the Hayden Pointe PUD and includes 207 single-family home lots at approximately 2 units per acre.

- 1. A motion was made by Jimmy Bellamy seconded by Karmen Custer to open the public hearing. Motion carried 5 yes 0 no.
 - Brandon Truesdale with G3 Engineering reviewed the project, stating that connecting the development to Express Drive was a priority and would be completed in the first phase. He noted the development would include stub-outs to Green Bay Village, Pinecrest Street, and a right-of-way reservation for potential future connection to Highland Forest.
- 2. Public Comments/Questions
 - Larry Pawlowski, a resident of the Highlands, expressed concern about increased traffic on Frontage Road. He requested that the connection to Express Drive be built first, starting from the Express Drive end, to avoid bringing construction equipment through Frontage Road, which is not

built for heavy traffic. He also requested no-parking signs on both sides of the road near Chick-fil-A and a "no outlet" sign on Frontage Road.

- Austin Lyles, a resident of Green Bay Village, expressed safety concerns about the connection through neighborhoods rather than creating a main throughway visible to everyone.
 - Ray Lyles, a resident of Shallotte's ETJ, suggested that extending Frontage Road to Express Drive would make more sense than routing traffic through neighborhoods where children play.
3. A motion was made by Bobby Williamson seconded by Gene Vasile to close the public hearing. Motion carried 5 yes 0 no.
4. Board Comments-Questions
- Alderman Vasile noted that the proposal would begin to address a vexing problem the town had faced for years regarding access to the area.
 - Mayor Dornfeld agreed that providing another way out for residents of the Highlands dissatisfied with the current intersection would be a plus.
 - Alderman Bellamy questioned the possibility of widening Frontage Road.
 - Alderman Custer acknowledged the "rock and a hard place" situation - while development creates strain on current roads, it's also the only way to get the needed connection built.
5. A motion was made by Gene Vasile seconded by Karmen Custer to approve the Zoning Amendment Statement of Consistency with the following conditions:
- 1) The road connection from Forest St. Ext. across the Express Dr. property be completed in the first phase of construction.
 - 2) Plans and applications for the subsequent tract/phases be submitted for review preliminary subdivision review prior to any work on the site.
- Motion carried 5 yes 0 no.
6. A motion was made by Gene Vasile seconded by Bobby Williamson to approve rezoning PID 1820004221 and 1820004201 to Shallotte PUD. Motion carried 5 yes 0 no.

XI. DISCUSSION

XII. ADJOURN

A motion was made by Jimmy Bellamy seconded by Karmen Custer to adjourn at 6:35 p.m. Motion carried 5 yes 0 no.

Respectfully submitted,

Natalie Goins,
Town Clerk



Town of Shallotte Board of Aldermen
ACTION AGENDA ITEM
2026

TO: Board of Aldermen

ACTION ITEM #: _____

FROM: Robert Waring, Planning Director

MEETING DATE: 1/06/2026

DATE SUBMITTED: _____

ISSUE/ACTION REQUESTED: The Town Attorney asked that this item be placed back on the agenda to authorize the Mayor’s signature rather than a staff signature. Review engineer’s estimate for sidewalk construction estimate for Phase II Summer’s Walk subdivision & authorize staff signature of performance guarantee agreement per Section 28-7 B) Shallotte UDO

PUBLIC HEARING: YES NO

Performance guarantees are instruments that allow developers to “bond” incomplete portions of required infrastructure. The Town of Shallotte currently only allows sidewalks to be covered with a guarantee.

Staff would call the guarantee should the work identified in the estimate go unfinished. Please note that NCGS requires municipalities that allow for improvement guarantees to allow for the three types, cash, letter of credit, & sureties.

LDI Commercial, LLC. has submitted a performance guarantee for the construction of sidewalks in Phase II of the Summer’s Walk subdivision. The guarantee is in the form of a surety bond totaling \$102,277. This is 125% of the estimated work for the incomplete infrastructure. The estimate has been confirmed by the Town’s engineer.

Staff request that the Board authorize Mayor’s signature on the agreement.

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

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY: YES NO N/A

ADVISORY BOARD RECOMMENDATION:

STAFF RECOMMENDATION:

FINANCE RECOMMENDATION:

ATTACHMENTS:

<u>ACTION OF THE BOARD OF ALDERMEN</u>			
APPROVED:	<input type="checkbox"/>	ATTEST:	CLERK TO THE BOARD
DENIED:	<input type="checkbox"/>		
DEFERRED UNTIL:	_____		
	SIGNATURE		
OTHER:			

STATE OF NORTH CAROLINA
TOWN OF SHALLOTTE

AGREEMENT

THIS AGREEMENT, made and entered into this the ____ day of January 2026, by and between the **TOWN OF SHALLOTTE**, a North Carolina municipal corporation, party of the first part (hereinafter referred to as “Town”) and **LDI Commercial, LLC**, a North Carolina limited liability company, party of the second part (hereinafter referred to as “Developer”):

WITNESSETH

THAT WHEREAS, Town has adopted an ordinance known as the “Town of Shallotte Unified Development Ordinance” (hereinafter referred to as the “UDO”), pertaining, in part, to the zoning, annexation, subdivision and development of real property located within the corporate and extra-territorial limits of Town; and

WHEREAS, Developer is the owner and developer of a Planned Unit Development (“PUD”) known as Phase 2 of Summer’s Walk Subdivision, located within the corporate and limits of Town (hereinafter referred to as “Summer’s Walk”); and

WHEREAS, Developer now seeks to obtain the Town’s approval of the final plat for Summer’s Walk Phase 2; and

WHEREAS, the parties have agreed upon the terms and conditions upon which approval will be issued by Town as to the Final Plat and the parties desire to reduce to writing the provisions, terms and conditions of their agreement;

NOW, THEREFORE, in consideration of the premises and the mutual promises and covenants contained herein to be kept and performed, the parties agree as follows:

1. Descriptions. A perimeter description of Summer's Walk is contained in a survey plat on file with Town.

2. Infrastructure. Developer agrees, at Developer's sole expense, to construct all sidewalks adjacent to the streets in Summer's Walk, as set forth in Exhibit A and additionally described as an 8' multiuse path as set forth on Summer's Walk Phase 2 Engineer's Quantity Estimate set forth in Exhibit A.

3. Time. All improvements described on Exhibit A shall be constructed on or before December 2, 2026.

4. Costs. Developer shall be solely responsible for all costs associated with the construction of infrastructure described in paragraph 2 above.

5. Security for Costs. As security for the payment and completion of the sidewalk infrastructure required to be installed and paid by Developer, Developer shall obtain a surety bond binding to the Town in the amount of \$102,277.78 for Summer's Walk approved by the Town to secure the costs of installing all required sidewalks in Summer's Walk Phase 2.

Failure of the Developer to complete said infrastructure as set forth in paragraph 2 on or before December 2, 2026 in a manner acceptable to Town's Engineer shall constitute a material breach of this Agreement and shall entitle Town to proceed immediately under said surety bond against Developer and Surety in an amount sufficient to cover all remaining costs and expenses necessary to complete the infrastructure described in paragraph 2.

6. Miscellaneous.

a. Approval of Town Engineer. All improvements and infrastructure to be constructed by Developer are subject to approval by Town's Engineer.

b. The completion dates set forth above may be extended only by written agreement

of the parties but the Town shall be under no affirmative obligation to extend the completion dates set forth above. In order for a requested extension to be considered by Town, Developer must request the extension in writing at least forty-five (45) days prior to December 2, 2026.

c. The Infrastructure set forth in paragraph 2 shall be dedicated to the Town immediately upon their completion and approval by the Town’s Engineer.

IN WITNESS WHEREOF, the parties have caused this Agreement to be fully executed by their duly authorized officers by and, in the case of Town, at its meeting of _____, effective the day and year first above written.

THE TOWN OF SHALLOTTE

BY: _____
Mayor

ATTEST:

Town Clerk

LDI Commercial, LLC.

BY: _____
_____(Name)
_____(Title)

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

I, _____, Notary Public for said State and County, certify that _____ came before me this day and acknowledged that he is the Mayor of the TOWN OF SHALLOTTE, a North Carolina municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by him as its Mayor.

Witness my hand and notarial seal, this the _____ day of _____, 2026.

_____, Notary Public

My commission expires: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, Notary Public for said State and County, certify that _____ personally came before me this day and acknowledged that he/she is the manager of LDI Commercial, LLC, a North Carolina limited liability company, and that by authority duly given and as the act of the company, the foregoing instrument was signed in its name by him/her as its manager.

Witness my hand and notarial seal, this the _____ day of _____, 2026.

_____, Notary Public

My commission expires: _____

Exhibit A

Exhibit A

Section VII, Item B.

Section IX, Item C.

Summers Walk - Phase 2 ENGINEER'S QUANTITY ESTIMATE



November 10, 2025
09534-0001

Description	Quantity Estimate	Unit	Unit Cost	Remaining Improvements
8' MULTI-USE PATH	2046	SY	\$40.00	\$81,822.22
				\$81,822.22
REMAINING IMPROVEMENTS TOTAL				\$81,822.22
ESTIMATED SURETY AMOUNT TOTAL				\$ 102,277.78



Town of Shallotte Board of Aldermen
ACTION AGENDA ITEM
2026

TO: Board of Aldermen

ACTION ITEM #: TXT 25-35

FROM: Brandon Eaton, Planner II

MEETING DATE: 01-06-2026

**DATE
SUBMITTED:**

ISSUE/ACTION REQUESTED:

PUBLIC HEARING: YES NO

Request Board’s review and decision of a staff-initiated amendment to the Town of Shallotte Unified Development Ordinances. Specifically, Article 21, Section 21-13(D).

BACKGROUND/PURPOSE OF REQUEST:

The proposed amendment to the Town’s UDO would update ordinance language, revising the Town’s list of prohibited signage to allow for the installation of rooftop signage on commercial structures in the Central Business zoning district. The proposed amendment is citizen initiated and is detailed in the included draft language “Exhibit A”.

Staff has also proposed alternative language which would allow for the installation of rooftop signs in the Central Business (CB) Zoning District and is included herein as “Exhibit B”. Staff’s proposed ordinance language would similarly permit the use of roof signage in the Central Business District (CB), adding supplemental regulations related to height, location, safety, structural integrity, and other aesthetic elements which are consistent with the surrounding zoning district, to provide safeguards for public health and property values within the zoning district.

Currently, rooftop signs are prohibited in all zoning districts.

- See attached “Exhibit A”

The Board may vote to:

- Approve the ordinance as written, or
- Further amend the ordinance and vote to approve, or
- Continue the Board’s review and ask that the ordinance be further researched, or
- Deny the ordinance.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
CAPITAL PROJECT ORDINANCE REQUIRED:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
PRE-AUDIT CERTIFICATION REQUIRED:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
REVIEWED BY FINANCE DIRECTOR	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY: YES NO N/A

ADVISORY BOARD RECOMMENDATION:

The Planning Board voted *not* to recommend approval of any iteration of ordinance language that would allow rooftop signage at their December 9, 2025, meeting. Planning Board members were particularly concerned that any allowance would lead to the proliferation of this type of signage throughout the Central Business (CB) Zoning District, and potentially other zoning districts throughout the Town.

STAFF RECOMMENDATION:

Staff prepared alternate language (included herein as “Exhibit B”) that would allow for rooftop signs as a permitted use in the proposed zoning district, with additional supplemental regulations to mitigate any negative impacts the proposed language may create in the absence of such standards. Staff recommends adoption of the ordinance text amendment language included in “Exhibit B” if the Board is inclined to permit rooftop signage.

FINANCE RECOMMENDATION: NA

ATTACHMENTS:

1. Draft Language “Exhibit A”
2. Staff proposed Draft Language “Exhibit B”
3. Examples of signage types “Exhibit C”
4. Planning Board Statement of Consistency
5. Draft Statement of Consistency
6. Ordinance

<u>ACTION OF THE BOARD OF ALDERMEN</u>	
APPROVED: <input type="checkbox"/> DENIED: <input type="checkbox"/>	ATTEST: _____ CLERK TO THE BOARD
DEFERRED UNTIL: _____	_____ SIGNATURE
OTHER: _____	

Section 21-13: Prohibited Signs

Unless otherwise permitted, the following signs are prohibited:

- (A) Signs advertising an activity, business, product, or service no longer conducted on the premises upon which the sign is located.
- (B) Signs with flashing lights or moving/rotating parts.
- (C) Off-premise signs, outdoor advertising structures, or billboards. (Ord. 12-06, 4/3/12)
- (D) Roof signs, excluding local businesses located on Main Street with Main Street frontage, in the Central Business District that are located more than 150' off the center line of Main Street, shall be permitted to erect a sign above the roof eave, not to extend over the roof ridge.
- (E) Projecting signs and freestanding signs located within a public right-of-way except when erected by a governmental agency.
- (F) No flag of the United States or this state shall be displayed as part of a commercial promotion. When displayed, the flags shall be allowed to hang free and never draped or tied back.
- (G) Animated, rotating, or other moving or apparently moving signs.
- (H) Beacons.
- (I) Flashing lights (except as may be permitted to display time and temperature).
- (J) Portable signs.
- (K) Inflatable signs and tethered.
- (L) Neon, argon, or other gas tube illumination exterior to a building.
- (M) Posters, ribbons, streamers, and spinners.
- (N) Strings of colored lights except for those lights that are appropriate for the nearest holiday and installed on the building not more than thirty (30) days prior to the holiday nor thirty (30) days following the holiday.

Section 21-7: Signs Permitted in Non-residential Districts

(K) Rooftop Signs

- (1) Rooftop signs are permitted only on nonresidential buildings located within the Central Business (CB) District.
- (2) A maximum of one (1) rooftop sign is permitted per principal building
- (3) Rooftop signs shall only advertise the current principal building use. No off-premise rooftop signage is permitted.
- (4) Where multiple tenants occupy a building, the rooftop sign shall identify the building, anchor tenant, or center name only.
- (5) Rooftop signs shall not obstruct roof access hatches, ladders, fire escapes, or mechanical equipment access.
- (6) In no case shall a rooftop sign extend higher than the ridge of the roof.
- (7) The width of a rooftop sign shall not exceed sixty-five percent (65%) of the width of the roof level on which it is installed.
- (8) Rooftop sign area shall be counted toward the total permitted sign area for the building, in accordance with the Town’s general sign regulations, unless otherwise specified by this Ordinance.
- (9) Rooftop signs may be internally or externally illuminated, but shall not blink, flash, scroll, move, or rotate.
- (10) Digital displays and signs with digital changeable copy are prohibited as rooftop signs.
- (11) All rooftop signs shall comply with applicable provisions of the North Carolina State Building Code.
- (12) A structural engineer licensed in the State of North Carolina shall certify the design, attachment, and load capacity of all rooftop signs prior to issuance of a sign permit.

Local example of a wall sign



Local example of a non-permitted rooftop sign that was ordered to be removed in 2022 in accordance with current UDO standards.



Example of large roof sign on a flat roof (Nonlocal)



Example of a rooftop sign installed from the roof's eave to the ridge (nonlocal)



PLANNING BOARD STATEMENT OF CONSISTENCY

The Town of *Shallotte Planning Board* has reviewed and recommended approval/denial the following amendment of the Town of Shallotte Unified Development Ordinance (UDO).

ORDINANCE 25-35

AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT ORDINANCE, SPECIFICALLY ARTICLE 21, SECTION 21-13(D)

After review of the ordinance, staff report, and after consideration of any comments presented at the *Planning Board* meeting, the *Planning Board* hereby find the UDO amendment referenced above to be:

- Consistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

The proposed amendment to the Town's UDO updates ordinance language to reclassify rooftop signage as a permitted use and establishes supplemental regulations governing the use within the Town's zoning jurisdiction.

Rooftop signs may account for additional visibility for commercial uses, while preserving the small-town character of the Town of Shallotte.

OR

- Inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- Neither consistent nor inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

12/09/2025
Date

Richard Gannaway
Planning Board Chairman
Town of Shallotte

BOARD OF ALDERMEN STATEMENT OF CONSISTENCY

The Town of Shallotte *Board of Aldermen* has reviewed the following amendment to the Town of Shallotte Unified Development Ordinance (UDO) and has taken into consideration the Town of Shallotte 2018 Comprehensive Land Use Plan in rendering the following decision:

ORDINANCE 25-35

AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT ORDINANCE, SPECIFICALLY ARTICLE 21, SECTION 21-13(D)

After review of the ordinance, staff report, and after consideration of any comments presented at the *Board* meeting, the *Board of Aldermen* hereby find the UDO amendment referenced above to be:

- Consistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

The proposed citizen-initiated amendment to the Town’s UDO would update ordinance language to revise the Town’s list of prohibited signage to allow for the installation and use of rooftop signage on commercial structures that are located more than 150’ off the center line of Main Street in the Central Business Zoning District (CB).

When accompanied by supplemental regulation intended to mitigate any negative impacts, the permitting of rooftop signs may create a reasonable means of advertising for local businesses, particularly those suffering from visibility constraints.

OR

- Inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- Neither consistent nor inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

Date

Mayor
Town of Shallotte

**TOWN OF SHALLOTTE
ORDINANCE 25-35**

**AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED
DEVELOPMENT ORDINANCE, SPECIFICALLY
ARTICLE 21, SECTION 21-13(D)
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN
CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Shallotte is a duly incorporated municipality within the State of North Carolina and is authorized to adopt zoning and development regulation ordinances per section §160A-381 of the North Carolina General Statutes; and

WHEREAS, the Town of Shallotte oversees the planning and zoning requests and requirements for lands located within its town limits and the extra territorial jurisdiction near the town’s limits; and,

WHEREAS, the Town of Shallotte has the authority pursuant to NC G.S §160A-364 to adopt, amend, or repeal ordinances; and

WHEREAS, The Board of Aldermen for the Town of Shallotte deems it to be in the public’s best interest to amend the Unified Development Ordinance with a text amendment so as to provide for changes as set forth below to ARTICLE 21, SECTION 21-13(D). The proposed amendment to the Town’s UDO would update ordinance language to revise the Town’s list of prohibited signage to allow for the installation and use of rooftop signage on commercial structures in the Central Business Zoning District (CB); and

THEREFORE, be it ordained by the Board of Aldermen of the Town of Shallotte that the Town of Shallotte Unified Development Ordinance shall be amended as detailed herein:

ARTICLE 21, SECTION 21-13(D).

See attached “Exhibit A”

Section 2. All Town Code sections in conflict herewith are hereby amended and repealed in relevant part to conform with the above sections. The Town Clerk and editor of the Town Code and UDO are hereby authorized to amend those documents, all relevant citations to those sections of the Town Code, restate chapters, sections, provisions, and related references to these sections of the Town Code, as may be necessary.

Section 3. This ordinance shall take effect *immediately* upon passage and shall apply to any zoning permit applications submitted following that effective date.

INTRODUCED AT A Regular Meeting of the Board of Aldermen on January 06, 2026,
and adopted at a Regular Meeting of the Board of Aldermen on January 06, 2026.

SIGNED THIS ____ day of _____, 20 ____.

TOWN OF SHALLOTTE, NORTH CAROLINA

Mayor

ATTEST:

Town Clerk



Town of Shallotte Board of Aldermen
ACTION AGENDA ITEM
2026

Section VIII, Item 2.

TO: Board of Aldermen

ACTION ITEM #: TXT 25-34

FROM: Brandon Eaton, Planner II

MEETING DATE: 01-06-2026

**DATE
SUBMITTED:**

ISSUE/ACTION REQUESTED:

Request Board’s review and decision of a staff-initiated amendment to the Town of Shallotte Unified Development Ordinances. Specifically, Article 10, Section 10-3(G).

PUBLIC HEARING: YES NO

BACKGROUND/PURPOSE OF REQUEST:

The proposed amendment to the Town’s UDO updates ordinance language to create a zoning definition of “Data Centers” as a use and establishes supplemental regulations governing such use within the Town’s zoning jurisdiction.

Data centers are becoming more common with advancements in artificial intelligence and other technologies, and areas across the State of North Carolina have started seeing more interest in these data centers as a land use. With this, staff believes a proactive approach of allowance via conditional rezoning in the Heavy Industrial (HI) zoning district is key.

- See attached “Exhibit A”

The Board may vote to:

- Approve the ordinance as written, or
- Further amend the ordinance and vote to approve, or
- Continue the Board’s review and ask that the ordinance be further researched, or
- Deny the ordinance.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
CAPITAL PROJECT ORDINANCE REQUIRED:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
PRE-AUDIT CERTIFICATION REQUIRED:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
REVIEWED BY FINANCE DIRECTOR	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY: YES NO N/A

ADVISORY BOARD RECOMMENDATION:

The Planning Board voted to recommend approval at their December 9, 2025, meeting.

STAFF RECOMMENDATION:

Staff recommends Board approval

FINANCE RECOMMENDATION: NA

ATTACHMENTS:

- 1. Draft Language “Exhibit A”
- 2. Planning Board Statement of Consistency
- 3. Draft Statement of Consistency
- 4. Ordinance

<u>ACTION OF THE BOARD OF ALDERMEN</u>		
APPROVED: <input type="checkbox"/>	ATTEST:	CLERK TO THE BOARD
DENIED: <input type="checkbox"/>		
DEFERRED UNTIL: _____	_____	
OTHER:	SIGNATURE	

PERMITTED USES	MF-14/10/6	R-10	RM-10	R-15	RA-15	RAM-15	CB	HB	CW	B-2	O/I	LI	HI	C	PUD
INDUSTRIAL, MANUFACTURING, AND HEAVY REPAIR															
CABINET MAKING AND COUNTER TOP MANUFACTURING								S				P	P		
CARGO STORAGE CONTAINERS (including tractor trailers)										S		P	P		
CLOTHING AND FINISHED FABRIC PRODUCTS												P	P		
<u>DATA CENTERS [pursuant to 10-3(G)]</u>														CZ	
ELECTRIC MOTOR REPAIR												P			

(60) Data Centers.

A facility used for the centralized storage, processing, and management of digital data through computer servers, network systems, storage hardware, and associated equipment. This definition does not include electronic gaming operations, software development or sales offices, and internet cafes.

Section 10-3 (G) Data Centers

(G) Data Centers. The purpose of this section is to ensure data centers are designed, situated, and operated in a manner that protects public health, safety, and general welfare, minimizes adverse impacts on surrounding land uses, and maintains the character of the Town of Shallotte while allowing such uses in appropriate zoning districts.

- (1) Applicability:
 - These regulations apply to all new data center facilities and any substantial modification, expansion, or redevelopment of existing data centers within the Town of Shallotte.
- (2) Location Standards:
 - (a) Data Centers shall not be located in any residential zoning district.
 - (b) Data Centers shall not be situated in any designated flood hazard area.
 - (c) Data Centers shall not be located within 1000 feet of any property zoned for residential use.
 - (d) Data Centers shall maintain a minimum separation of 1,000 feet from schools, daycares, parks, libraries, churches, or residential care facilities.
 - (e) Data Centers shall be located only along collector or arterial streets and shall not utilize local residential streets for access.

- (3) Permitted Uses Include: The following activities are permitted as part of a data center use:
- (a) Storage, processing, and transmission of digital data using computer servers and related hardware.
 - (b) Backup power systems including battery arrays, uninterruptible power supplies (UPS), and enclosed emergency generators.
 - (c) On-site security operations including monitoring stations and controlled access systems.
 - (d) Limited office space used exclusively for administration of the Data Center's operations, not exceeding ten percent (10%) of the gross floor area.
 - (e) Support infrastructure necessary for cooling, electrical distribution, and networking, provided all systems meet the provisions of this ordinance.
- (4) Access:
- (a) Direct access to a collector or higher classified roadway is required.
 - (b) Access for delivery vehicles, service vehicles, and generators shall be designed to prevent truck circulation from interfering with public streets.
 - (c) Primary service entrances, loading, and mechanical service areas shall be located to the side or rear of the structure.
- (5) Other Regulations:
- (a) All data center developments shall meet the design, access, lighting, parking, stormwater, and landscaping standards of this Ordinance.
 - (b) Mechanical equipment, cooling towers, HVAC units, transformers, battery rooms, fuel storage, and emergency generators must be fully screened from public view in accordance with Article 17.
 - (c) Rooftop mechanical equipment must be enclosed or screened with materials architecturally integrated into the building façade.
 - (d) Rooftop mechanical equipment shall not exceed the maximum building height.
- (6) Noise and Environmental Performance:
- (a) Continuous noise sources such as generators, chillers, and HVAC equipment shall not exceed 55 dB(A) at any property line adjoining a non-industrial district.
 - (b) No cooling system shall discharge water, mist, or condensation onto adjacent properties or public right-of-way.
 - (c) All Data Centers shall comply with applicable federal, state, and local environmental regulations, including but not limited to:
 - NCDEQ air quality standards
 - State and Town Stormwater management requirements
 - Town of Shallotte noise ordinance requirements

- (d) A noise impact study shall be required by the Town during review of a conditional rezoning application.
- (7) Utility and Infrastructure Requirements:
 - (a) The applicant shall submit a utility capacity analysis demonstrating adequate electrical availability for the proposed use.
 - (b) All utility connections, including fiber, telecommunications, and electrical service, shall be located underground where feasible.
 - (c) Fuel storage for generators must be located behind the principal structure and fully screened from public view.
- (8) Hazard Mitigation & Emergency Preparedness:
 - (a) An Emergency Response Plan shall be submitted and kept on file with the Town of Shallotte Fire Department.
 - (b) The plan shall address fire suppression systems, hazardous materials (if any), emergency shutoff, generator fuel management, access routes, and security protocols.
 - (c) Data Centers shall comply with all applicable fire, safety, and hazard mitigation regulations.
 - (d) Any hazardous materials onsite shall be limited to those incidental to generator operations or battery systems.
- (9) Prohibited Uses:
 - (a) Data Centers shall not contain retail, commercial, or walk-in customer service operations.
 - (b) Residential uses within a data center structure are prohibited.
 - (c) Outdoor storage is prohibited except where expressly permitted under separate sections of this ordinance.
 - (d) No general office operations, call centers, or unrelated administrative businesses shall operate from a data center.

PLANNING BOARD STATEMENT OF CONSISTENCY

The Town of *Shallotte Planning Board* has reviewed and recommended approval/denial the following amendment of the Town of Shallotte Unified Development Ordinance (UDO).

ORDINANCE 25-34

AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT ORDINANCE, SPECIFICALLY ARTICLE 10, SECTION 10-3(G)

After review of the ordinance, staff report, and after consideration of any comments presented at the *Planning Board* meeting, the *Planning Board* hereby find the UDO amendment referenced above to be:

- Consistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

The proposed amendment to the Town’s UDO updates ordinance language to create a zoning definition of “Data Centers” as a use and establishes supplemental regulations governing such use within the Town’s zoning jurisdiction.

Data centers are becoming more common with advancements in artificial intelligence and other technologies, areas across the State of North Carolina have started seeing more interest in these data centers as a land use. With this, staff believes a proactive approach of allowance via conditional rezoning in the Heavy Industrial (HI) zoning district is key.

OR

- Inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- Neither consistent nor inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

12/09/2025
Date

Richard Brannan
Planning Board Chairman
Town of Shallotte

BOARD OF ALDERMEN STATEMENT OF CONSISTENCY

The Town of Shallotte *Board of Aldermen* has reviewed the following amendment to the Town of Shallotte Unified Development Ordinance (UDO) and has taken into consideration the Town of Shallotte 2018 Comprehensive Land Use Plan in rendering the following decision:

ORDINANCE 25-34

AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT
ORDINANCE, SPECIFICALLY
ARTICLE 10, SECTION 10-3(G)

After review of the ordinance, staff report, and after consideration of any comments presented at the *Board* meeting, the *Board of Aldermen* hereby find the UDO amendment referenced above to be:

- Consistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

The proposed amendment to the Town's UDO updates ordinance language to create a zoning definition for "Data Centers" as a use and establishes supplemental regulations governing such use within the Town's zoning jurisdiction., which is in keeping with the zoning authority detailed in the Town's adopted plans.

Data centers are an increasingly sought-after land use due to the rise of artificial intelligence and other advanced technologies that require high levels of computer server capacity. These facilities require substantial utility resources and may pose health and environmental concerns when located in sensitive areas, such as zoning districts primarily designated for residential use. It is reasonable and in the public interest to allow such uses within appropriately zoned areas of the Town's jurisdiction, subject to supplemental standards that provide safeguards against potential negative impacts associated with this use.

OR

- Inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- Neither consistent nor inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

Date

Mayor
Town of Shallotte

**TOWN OF SHALLOTTE
ORDINANCE 25-34**

**AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED
DEVELOPMENT ORDINANCE, SPECIFICALLY
ARTICLE 10, SECTION 10-3(G)
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN
CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Shallotte is a duly incorporated municipality within the State of North Carolina and is authorized to adopt zoning and development regulation ordinances per section §160A-381 of the North Carolina General Statutes; and

WHEREAS, the Town of Shallotte oversees the planning and zoning requests and requirements for lands located within its town limits and the extra territorial jurisdiction near the town’s limits; and,

WHEREAS, the Town of Shallotte has the authority pursuant to NC G.S §160A-364 to adopt, amend, or repeal ordinances; and

WHEREAS, The Board of Aldermen for the Town of Shallotte deems it to be in the public’s best interest to amend the Unified Development Ordinance with a text amendment so as to provide for changes as set forth below to ARTICLE 10, SECTION 10-3(G). The proposed amendment to the Town’s UDO updates ordinance language to create a zoning definition of “Data Centers” as a use and establishes supplemental regulations governing such use within the Town’s zoning jurisdiction; and

THEREFORE, be it ordained by the Board of Aldermen of the Town of Shallotte that the Town of Shallotte Unified Development Ordinance shall be amended as detailed herein:

ARTICLE 10, SECTION 10-3(G).

See attached “Exhibit A”

Section 2. All Town Code sections in conflict herewith are hereby amended and repealed in relevant part to conform with the above sections. The Town Clerk and editor of the Town Code and UDO are hereby authorized to amend those documents, all relevant citations to those sections of the Town Code, restate chapters, sections, provisions, and related references to these sections of the Town Code, as may be necessary.

Section 3. This ordinance shall take effect *immediately* upon passage and shall apply to any zoning permit applications submitted following that effective date.

INTRODUCED AT A Regular Meeting of the Board of Aldermen on January 06, 2026,
and adopted at a Regular Meeting of the Board of Aldermen on January 06, 2026.

SIGNED THIS ____ day of _____, 20 ____.

TOWN OF SHALLOTTE, NORTH CAROLINA

Mayor

ATTEST:

Town Clerk