

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 369
Committee Substitute Favorable 5/6/25
PROPOSED COMMITTEE SUBSTITUTE H369-PCS10527-CO-18

Short Title: Parking Lot Reform and Modernization Act.

(Public)

Sponsors:

Referred to:

March 12, 2025

A BILL TO BE ENTITLED
AN ACT TO RESTRICT LOCAL GOVERNMENTS FROM REGULATING CERTAIN
ASPECTS OF OFF-STREET PARKING SPACES AND TO MODIFY THE AUTHORITY
OF CERTAIN LOCAL GOVERNMENTS TO REQUIRE STORMWATER CONTROL
FOR REDEVELOPED PROPERTY.

The General Assembly of North Carolina enacts:

**PART I. PROHIBITING CERTAIN ZONING AND DEVELOPMENT LIMITATIONS
RELATED TO OFF-STREET PARKING**

SECTION 1.(a) G.S. 160D-702 reads as rewritten:

"§ 160D-702. Grant of power.

...

(c) A zoning or other development regulation shall not do any of the following:

- (1) Set a minimum square footage of any structures subject to regulation under the North Carolina Residential Code.
- (2) Require ~~a~~an off-street parking space to be larger than 9 feet wide by 20 feet long unless the parking space is designated for handicap, parallel, or diagonal parking.
- (2a) Require an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of occupancy or use.
- (3) Require additional fire apparatus access roads into developments of one- or two-family dwellings that are not in compliance with the required number of fire apparatus access roads into developments of one- or two-family dwellings set forth in the Fire Code of the North Carolina Residential Code for One- and Two-Family Dwellings."

SECTION 1.(b) There is appropriated from the General Fund to the Department of Commerce the sum of five thousand dollars (\$5,000) in nonrecurring funds for the 2025-2026 fiscal year to assist in educating property owners on the financial opportunities that relate to adjusting the number of parking spaces within their parking lots to better align with actual, and anticipated, usage and thereby saving possible unneeded expenditures.

SECTION 1.(c) This section becomes effective July 1, 2025.

**PART II. MODIFY THE AUTHORITY OF CERTAIN LOCAL GOVERNMENTS TO
REQUIRE STORMWATER CONTROL FOR REDEVELOPED PROPERTY**

SECTION 2.(a) G.S. 143-214.7(a1) reads as rewritten:



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"(a1) Definitions. – The following definitions apply in this section:

...

(3) Small-scale residential development. – Any single-family homes as well as townhomes and multifamily residential developments with four or fewer units, which disturb less than 1 acre and that are not part of a common plan of development or sale."

SECTION 2.(b) G.S. 143-214.7 reads as rewritten:

"§ 143-214.7. Stormwater runoff rules and programs.

...

(b3) ~~Stormwater~~ Except as provided in subsection (b8) of this section, stormwater runoff rules and programs shall not require private property owners to install new or increased stormwater controls for (i) preexisting development or (ii) redevelopment activities that do not remove or decrease existing stormwater controls. When a preexisting development is redeveloped, either in whole or in part, increased stormwater controls shall only be required for the amount of impervious surface being created that exceeds the amount of impervious surface that existed before the redevelopment, irrespective of whether the impervious surface that existed before the redevelopment is to be demolished or relocated during the development activity. A property owner may elect to treat the stormwater resulting from the net increase in built-upon area above the preexisting development for the purpose of exceeding allowable density under the applicable water supply watershed rules as provided in G.S. 143-214.5(d3). This subsection applies to all local governments regardless of the source of their regulatory authority. Local governments shall include the requirements of this subsection in their stormwater ordinances.

...

(b8) Notwithstanding the limitations of subsection (b3) of this section, a local government that holds a NPDES MS4 permit may, in addition to requiring stormwater controls for the amount of impervious surface being created that exceeds the amount of impervious surface that existed before the redevelopment, also implement one or both of the following measures as part of its stormwater program: (i) a requirement that owners undertaking redevelopment of a property install new stormwater controls for preexisting development to capture up to fifty percent (50%) of the final stormwater runoff calculation for the preexisting development; and, (ii) incentives that waive building, zoning, connection, or other fees, provide additional tax and financial benefits, or institute other incentives for redevelopments that capture additional stormwater over the local stormwater programs' mandatory percentages. Enhanced stormwater control requirements authorized by this subsection shall not apply, however, to redevelopment activities for small-scale residential development, which for purposes of this subsection means single-family homes as well as townhomes and multifamily residential developments with four or fewer units, which disturb less than 1 acre and that are not part of a common plan of development or sale.

...."

SECTION 2.(c) This section is effective when it becomes law and applies to stormwater rules and stormwater program amendments adopted on or after that date.

PART III. EFFECTIVE DATE

SECTION 3. Except as otherwise provided, this act is effective when it becomes law.