

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 369
Committee Substitute Favorable 5/6/25
Committee Substitute #2 Favorable 6/10/25

Short Title: Parking Lot Reform and Modernization Act.

(Public)

Sponsors:

Referred to:

March 12, 2025

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

6 The General Assembly of North Carolina enacts:

7
8 **PART I. PROHIBITING CERTAIN ZONING AND DEVELOPMENT LIMITATIONS**
9 **RELATED TO OFF-STREET PARKING**

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

11 "§ 160D-702. Grant of power.

12 ...

- 13 (c) A zoning or other development regulation shall not do any of the following:
- 14 (1) Set a minimum square footage of any structures subject to regulation under
15 the North Carolina Residential Code.
- 16 (2) Require ~~a~~ an off-street parking space to be larger than 9 feet wide by 20 feet
17 long unless the parking space is designated for handicap, parallel, or diagonal
18 parking.
- 19 (2a) Require an off-street parking lot to meet a minimum number of parking spaces
20 per development or structure, regardless of occupancy or use.
- 21 (3) Require additional fire apparatus access roads into developments of one- or
22 two-family dwellings that are not in compliance with the required number of
23 fire apparatus access roads into developments of one- or two-family dwellings
24 set forth in the Fire Code of the North Carolina Residential Code for One- and
25 Two-Family Dwellings."

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

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

32

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

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



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

2 ...

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

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

8 "**§ 143-214.7. Stormwater runoff rules and programs.**

9 ...

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

23 ...

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

39 "

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

42 **PART III. EFFECTIVE DATE**

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