

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 2504

Short Title: Limit Impervious Pavement in Parking Lots. (Public)

Sponsors: Representatives Allen, Gibson (Primary Sponsors); and Harrison.

Referred to: Environment and Natural Resources.

May 26, 2008

A BILL TO BE ENTITLED
AN ACT TO LIMIT THE AMOUNT OF IMPERVIOUS SURFACE OF VEHICULAR
SURFACE AREAS, AS RECOMMENDED BY THE ENVIRONMENTAL
REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. Section 6.22 of S.L. 2007-323 is repealed.

SECTION 2. Chapter 113A of the General Statutes is amended by adding a new Article to read:

"Article 4A.

"Impervious Surface of Vehicular Surface Areas.

"§ 113A-71. Impervious surface of vehicular surface areas.

(a) Definitions. – As used in this section:

(1) "Development" means any land-disturbing activity, as defined in G.S. 113A-52, that increases the total vehicular surface area of a property that is impervious surface.

(2) "Impervious surface" means any material that reduces or prevents the natural infiltration of water into the soil.

(3) "Private passenger vehicle" has the same meaning as in G.S. 20-4.01.

(4) "Vehicular surface area" means an area primarily used for the parking of private passenger vehicles. "Vehicular surface area" includes the means of ingress and egress to the area where private passenger vehicles are parked. "Vehicular surface area" includes any median, traffic island, or other traffic control device or structure contained wholly within the vehicular parking area. "Vehicular surface area" also includes any stormwater retention pond or other stormwater management or control structure that serves the vehicular surface area, but does not include any structure that manages stormwater runoff from areas other than the vehicular surface area.

1 (b) Limit on Impervious Surface of Vehicular Surface Area. – For development
2 that will disturb more than one acre of land, no more than eighty percent (80%) of the
3 surface area of the vehicular surface area may be impervious surface.

4 (c) Building Permit. – No permit shall be issued under G.S. 153A-357 or
5 G.S. 160A-417 for any development that does not comply with the requirements of this
6 section."

7 **SECTION 3.** G.S. 153A-357 is amended by adding a new subsection to
8 read:

9 "(c) No permit shall be issued pursuant to subsection (a) of this section for any
10 development that does not comply with the requirements of G.S. 113A-71."

11 **SECTION 4.** G.S. 160A-417 is amended by adding a new subsection to
12 read:

13 "(c) No permit shall be issued pursuant to subsection (a) of this section for any
14 development that does not comply with the requirements of G.S. 113A-71."

15 **SECTION 5.** This act becomes effective April 1, 2009, and applies to
16 building permits issued pursuant to G.S. 153A-357 and G.S. 160A-417 for which
17 applications were received on or after that date.