

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE DRH10411-SBz-38 (04/15)

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

Sponsors: Representatives Allen and Gibson (Primary Sponsors).

Referred to:

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

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 6.22 of S.L. 2007-323 is repealed.

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

9 "Article 4A.

10 "Impervious Surface of Vehicular Surface Areas.

11 **§ 113A-71. Impervious surface of vehicular surface areas.**

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

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

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

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

19 (4) "Vehicular surface area" means an area primarily used for the parking  
20 of private passenger vehicles. "Vehicular surface area" includes the  
21 means of ingress and egress to the area where private passenger  
22 vehicles are parked. "Vehicular surface area" includes any median,  
23 traffic island, or other traffic control device or structure contained  
24 wholly within the vehicular parking area. "Vehicular surface area" also  
25 includes any stormwater retention pond or other stormwater  
26 management or control structure that serves the vehicular surface area,

1                    but does not include any structure that manages stormwater runoff  
2                    from areas other than the vehicular surface area.

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

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

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

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

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

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

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