

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 511
Committee Substitute Favorable 4/27/23

Short Title: Enhance Urban Stormwater Management.

(Public)

Sponsors:

Referred to:

March 30, 2023

A BILL TO BE ENTITLED

AN ACT TO ENHANCE THE STORMWATER MANAGEMENT TOOLKIT AVAILABLE
TO LOCAL GOVERNMENTS BY CLARIFYING CERTAIN LIMITATIONS ON STATE
AND LOCAL PROGRAMS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-214.7(b3) reads as rewritten:

"(b3) Stormwater runoff rules and programs shall not require ~~private property owners~~
owners of private property that includes small scale residential development to install new or
increased stormwater controls for (i) preexisting development or (ii) redevelopment activities
that do not remove or decrease existing stormwater controls. Stormwater runoff rules and
programs may require owners of private property that does not include small scale residential
development to install new or increased stormwater controls when a preexisting development is
redeveloped if the redevelopment will result in (i) land disturbance, as that term is defined under
G.S. 113A-52(6), of more than fifty percent (50%) of the tract on which the redevelopment is to
occur or (ii) an increase of more than fifty percent (50%) of the impervious surface on the tract
to be redeveloped. 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.
Provided, however, a property owner may voluntarily elect to treat all stormwater from
preexisting development or redevelopment activities described herein 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. For purposes of this section, small scale residential development
means single-family homes, townhomes, and multiunit residential with four or fewer units."

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



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