

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 369
Committee Substitute Favorable 5/6/25

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 BAN THE FUTURE
PURCHASE AND IMPORTATION FOR USE OF PAVEMENT SEALANTS
CONTAINING HIGH LEVELS OF POLYCYCLIC AROMATIC HYDROCARBONS.

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. BANNING THE FUTURE PURCHASE AND IMPORTATION FOR USE OF
PAVEMENT SEALANTS CONTAINING HIGH LEVELS OF POLYCYCLIC
AROMATIC HYDROCARBONS**



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1 **SECTION 2.(a)** Article 21A of Chapter 143 of the General Statutes is amended by
2 adding a new section to read:

3 **"§ 143-215.77B. Limitations on products containing polycyclic aromatic hydrocarbons.**

4 (a) The following definitions apply in this section:

5 (1) High PAH sealant product. – A product, material, or substance that contains
6 greater than one-tenth of one percent (0.1%) (1000 ppm) PAH by weight and
7 is intended for use on an asphalt or concrete surface. High PAH sealant
8 product may contain coal tar, coal tar pitch volatiles, RT-12, refined tar,
9 steam-cracked petroleum residues, heavy pyrolysis oil, steam-cracked asphalt,
10 pyrolysis fuel oil, heavy fuel oil, ethylene tar, ethylene cracker residue, or a
11 variation of those substances assigned the chemical abstracts service (CAS)
12 numbers 65996-92-1, 65996-93-2, 65996-89-6, 8007-45-2, 64742-90-1, or
13 69013-21-4.

14 (2) PAH. – Polycyclic aromatic hydrocarbons.

15 (b) No person may purchase or import a high PAH sealant product for use or application
16 in the construction or maintenance of any parking or vehicular access area."

17 **SECTION 2.(b)** This section becomes effective January 1, 2026.

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19 **PART III. EFFECTIVE DATE**

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