

**Low Density Commercial Subdivisions**  
**Deed Restrictions & Protective Covenants**

In accordance with Title 15 NCAC 2H.1000 and S.L. 2006-246, the Stormwater Management Regulations, deed restrictions and protective covenants are required for **Low Density Commercial Subdivisions** where lots will be subdivided and sold. Deed restrictions and protective covenants are necessary to ensure that the development maintains a "built-upon" area consistent with the applicable regulation governing the density level. The following deed restrictions and covenants must be recorded prior to the sale of any lot:

I, \_\_\_\_\_, acknowledge, affirm and agree by my signature below, that I will cause the following deed restrictions and covenants to be recorded prior to the sale of any lot within the project known as \_\_\_\_\_:

1. *The following covenants are intended to ensure ongoing compliance with Town of Laurel Park Stormwater Management Permit Number \_\_\_\_\_, as issued by the Henderson County Erosion Control Department under the Town of Laurel Park Stormwater Management Regulations.*
2. *The Town of Laurel Park is made a beneficiary of these covenants to the extent necessary to maintain compliance with the stormwater management permit.*
3. *These covenants are to run with the land and be binding on all persons and parties claiming under them.*
4. *The covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the Town of Laurel Park.*
5. *Alteration of the drainage as shown on the approved plan may not take place without the concurrence of the Town of Laurel Park.*
6. *The maximum allowable built-upon area per lot is \_\_\_\_\_\* square feet.*

**\*Note: If the BUA per lot varies, please substitute the following statement for the one above and provide a complete listing of the proposed BUA for each lot:**

*The maximum allowable built-upon area per lot is as follows:*

Lot #	Max. BUA	Lot #	Max. BUA	Lot #	Max. BUA

*These allotted amounts include any built-upon area constructed within the lot property boundaries, and that portion of the right-of-way between the front lot line and the edge of the pavement. Built upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, coquina and parking areas, but does not include raised, open wood decking, or the water surface of swimming pools.*

7. ~~*In the case of a lot within GAMA's regulated AEG, if the built-upon area for that lot, as calculated by GAMA, is less than the amount shown in these restrictions, the most restrictive BUA will be the maximum permitted limit for that lot.*~~
8. *Filling in or piping of any vegetative conveyances (ditches, swales, etc.) associated with the development except for average driveway crossings, is strictly prohibited by any persons.*
9. *Each lot will maintain a 30 foot wide vegetated buffer between all impervious areas and surface waters.*
10. *All roof drains shall terminate at least 30 foot from the mean high water mark of surface waters.*
11. **Each lot, whose ownership is not retained by the permittee, shall submit a separate stormwater permit application to the Town of Laurel Park and receive a permit prior to construction. The application shall demonstrate compliance with the maximum BUA limit and the low density requirements set forth in 15A NCAC 2H.1000. Lots whose ownership is retained by the permittee shall be submitted as modifications to the original permit.**

12. **The maximum assigned built-upon area limit shall not be exceeded on any lot, unless the permit is modified to high density for all the lots in the permitted subdivision.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in the State of \_\_\_\_\_, County of \_\_\_\_\_, do hereby certify that \_\_\_\_\_ personally appeared before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal,

SEAL

\_\_\_\_\_  
Notary Signature

My Commission expires \_\_\_\_\_