

CHAPTER 64

SLOPE PROTECTION REGULATION

FOR SUBDIVISION AND BOUNDARY ADJUSTMENT APPLICATIONS

64.01 Authority. This regulation is adopted pursuant to the authority in Articles I, Section 13; Article II, Section 4; and, Article III, Section 1 [Paragraphs 14, 37 and 46 respectively] of the Protective Covenant.

64.02 Applicability and Definition. This regulation provides for the protection of slopes and applies to any property for which an application for subdivision, boundary adjustment which creates a new building site, or change to a condition of a tentative or final parcel or subdivision map is under consideration or reconsideration by the Association. Slopes greater than 25 percent gradient are herein referred to as "restricted slopes."

64.03 Restrictions for Slope Protection. No application for any land division, boundary adjustment which creates a new building site, or map amendment shall be approved unless in the judgment of the Board of Directors:

64.0301 Each of the proposed lots or parcels has sufficient area in locations other than restricted slopes to accommodate customary buildings and accessory uses, landscaping, yard area and access; and,

64.0302 The topography of each of the proposed lots or parcels is suitable for a building site which complies with the "high standards of artistic result" criterion set forth in Article III, Section 1 [Paragraph 46] of the Protective Covenant and with the provisions of Chapter 41 of the Code.

64.04 Restrictive Covenant. At the Board of Directors' option, its approval of an application for land division or boundary adjustment which creates a new building site may be conditioned upon the recordation of a restrictive covenant by the property owner against each lot or parcel containing restricted slopes which prohibits grading for any purpose (except approved driveways or roadways) within such slopes. The Board may exempt small and isolated restricted slopes of a parcel in the restrictive covenant.

64.05 Effective Date. The effective date of this regulation is February 2, 1995.

CHAPTERS 65 THROUGH 79 RESERVED