

**WOOD RANCH LAKE PARK VILLAGE ASSOCIATION**  
**Accessory Dwelling Unit Policy™**  
*Adopted January 27, 2022*

In furtherance of California public policy to encourage the construction of affordable accessory dwelling units (“**ADU**”) and junior accessory dwelling units (“**JADU**”) that are owner-occupied and that are used for rentals of terms longer than thirty (30) days, Wood Ranch Lake Park Village Association (the “**Association**”) seeks to implement procedures and remove obstacles relating to the rights of owners to construct and maintain ADUs and JADUs on their lots as permitted under California law.

California Civil Code Section 4751 restricts common interest developments such as the Association from enforcing any policy or provision of its governing documents that either effectively prohibits or unreasonably restricts the construction or use of an ADU or JADU on a lot zoned for single-family residential use that is otherwise in accordance with the requirements of law. However, Section 4751 also makes clear that common interest developments may impose reasonable restrictions on ADUs and JADUs, which do not unreasonably increase the cost to construct, effectively prohibit the construction of, or extinguish the ability to otherwise construct, an ADU or JADU consistent with the requirements of statute.

The purpose of this document is to set forth the Association’s Accessory Dwelling Unit Policy (“**Policy**”) in light of Civil Code Section 4751; this Policy shall be a governing document of the Association and shall be enforceable against all owners. This Policy has been adopted in accordance with applicable provisions of the California law and the CC&Rs. In the event of any conflict between applicable law and any governing document provision (including but not limited to anything contained in this Policy), the law shall be deemed controlling.

Please note that accessory dwelling units are only permitted on lots zoned for single-family residential use. As such, this Policy shall only apply to the planned development lots within the Association’s development and shall not apply to any condominiums within Lake Park Village.

**I. Definitions**

When used in this Policy, the following capitalized terms shall have the meaning set forth below. All other capitalized terms used in this Policy shall have the same meaning as defined in the Association’s CC&Rs, unless otherwise indicated.

1. “**Accessory Dwelling Unit**” or “**ADU**” means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall

include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes efficiency units and manufactured homes (as defined in Section 18007 of the California Health and Safety Code).

2. **“Junior Accessory Dwelling Unit” or “JADU”** means an Accessory Dwelling Unit that is no more than 500 square feet in size, is an independent living facility, and is contained entirely within a single-family residence. A Junior Accessory Dwelling Unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure. A JADU cannot be a detached structure and located anywhere on a lot other than within the boundaries of a residence.

## II. Architectural Approval

No ADU or JADU may be constructed within a residential lot or within the existing residence on the lot, without the prior written approval of the Association in accordance with the Association’s architectural approval requirements. Architectural applications for the construction of an ADU or JADU shall be processed and approved by the Association in the same manner as other applications for architectural modifications, and approval shall not be willfully avoided or delayed.

1. No ADU or JADU may be constructed upon a lot or within the boundaries of an existing residence or structure on the lot unless and until full and complete plans and specifications for said ADU or JADU showing the nature, design, kind, shape, height, width, colors, materials, and location have been submitted and approved in writing by the Association.
2. The Association may take into account factors regarding physical impact, aesthetics, color scheme, finish, proportions, shape, height, style, view impact, uniformity of appearance/harmony of design, and the impact on neighboring lots and owners/residents, among other factors, when evaluating an architectural application for the construction of an ADU or JADU.
3. Approval or denial of an application for construction of an ADU or JADU shall be in writing. If an application to construct an ADU or JADU is not approved or disapproved by the Board in writing within sixty (60) days from the date of its receipt of the complete application, the application shall be deemed disapproved.
4. During the approval process, the Association may require that its architect, landscape architect, building consultant, attorney, contractor, or other expert review the

proposed plans. Such review(s) are limited in scope and may not be relied upon by the owner to ensure correctness of plans from a legal, architectural, structural, or other standpoint. The costs of such review shall be borne solely by the applicant owner. This cost is in addition to any standard architectural application fee charged by the Association. Notwithstanding the foregoing, approval of the architectural plans by the Association does not constitute approval or endorsement of any technical, structural, or engineering specifications, and the Association assumes no responsibility for same. All technical, structural, and engineering matters are the responsibility of the owner seeking approval for the ADU or JADU.

5. In addition to the requirement of architectural approval from the Association, the owner must also submit plans and specifications to the City and obtain all necessary governmental approvals and permits. In the event the City requires changes to the plans, the owner must resubmit the revised plans and specifications to the Association for additional review and approval, and the Association reserves the right to impose additional and new conditions upon such review.
6. Association approval does not constitute a waiver of any requirements by applicable governmental agencies as it relates to the construction of and ADU or JADU. An owner agrees and represents that, as a condition of submittal of an architectural application, they have independently reviewed and confirmed that the proposed plans are correct from all legal, structural, architectural, engineering, and/or landscaping standpoints and will not in any way, other than that which has been disclosed by the owner, negatively impact the Association or cause damage or additional maintenance to the Association's common areas or any other owner's lot or residence.
7. Nothing in this Policy shall be intended or deemed to establish a general policy prohibiting the construction of an ADU or JADU on a residential lot; provided, however, that the foregoing shall not require that an owner be permitted to construct an ADU or JADU if the same would not be practical or feasible in accordance with this Policy and applicable provisions of the law and requirements of governmental authorities.

### **III. Specific ADU and JADU Guidelines**

Notwithstanding the foregoing general architectural approval requirements for the construction of an ADU or JADU on a lot by an owner and any other architectural guidelines as may be adopted by the Board from time to time, the Association shall not place any restrictions or conditions upon approval that unreasonably increase the cost to construct, effectively prohibit the construction of, or extinguish the ability to otherwise construct, an ADU or JADU that is consistent with the provisions of Section 65852.2 or 65852.22 of the California Government Code or applicable provisions of the Simi Valley Municipal Code. However, the

Association may require that the ADU or JADU are consistent with the architecture and aesthetics of the development. Specifically, any ADU or JADU shall be required to substantially conform to the color, style and palette of the Association's community aesthetics, and the proposed plans and specifications and architectural application for an ADU or JADU shall clearly describe the color, style, palette, and other aesthetic or design features to ensure uniformity with the Association's community aesthetics.

Provided that that proper architectural approval is obtained in accordance with the provisions of this Policy, the CC&Rs, and any architectural guidelines adopted by the Board, and the plans are approved and permitted by the City, an owner may construct no more than one (1) ADU or JADU within the boundaries of the existing residence on the lot, and one (1) new, detached ADU on such owner's lot. A detached ADU may be permitted in addition to a JADU within the boundaries of the existing residence so that an owner may have one (1) ADU and one (1) JADU on their lot.

In addition to any general architectural requirements, conditions of approval, or requirements of local governmental authorities, owners who wish to construct an ADU or JADU on their lot must comply with the following specific requirements:

**The following requirements shall apply to all ADUs:**

1. An ADU constructed within the boundaries of an existing primary residence on the lot shall not have a floor area that exceeds fifty percent (50%) of the existing square footage of the primary residence or eight hundred (800) square feet, whichever is larger, up to a maximum of one thousand (1,000) square feet.
2. An attached ADU cannot have an internal connection to the existing primary residence.
3. The total floor area of a detached ADU shall not exceed one thousand (1,000) square feet for lots up to eight thousand (8,000) square feet and shall not exceed one thousand two hundred (1,200) square feet for lots over eight thousand (8,000) square feet. Such ADU shall be limited to eighteen (18) feet in height and a single story.
4. A detached ADU may be created by the conversion of a legally permitted existing accessory structure on a lot, such as a studio, shed, carport, garage, or pool house, provided that the structure must have been permitted as required by City Code. Construction beyond the existing space of the accessory structure must meet all current requirements of the City Code.
5. No ADU will be permitted on the second story of the primary residence, above a garage, or above another accessory structure unless specifically permitted by the City because

the required setbacks preclude any other location for a minimum eight hundred (800) square foot ADU or two hundred twenty (220) square foot JADU.

6. All ADUs must be a minimum of two hundred twenty (220) square feet.
7. A setback of at least four (4) feet from the side and rear lot lines is required for a newly constructed detached ADU. The ADU must comply with normal twenty (20) foot front yard setbacks, and any required fire setbacks.
8. For detached ADUs, There must be at least a six (6) foot separation from the primary residence and all existing structures on the lot.
9. An ADU shall provide one parking space, which may be located within the setback and which may consist of tandem parking on an existing driveway; provided, however, that no additional parking space is required if the proposed ADU is a studio unit, if the ADU is within the footprint of the existing primary residence, or when the ADU is created by the conversion of an existing garage or carport.
10. A detached ADU must comply with all code requirements and local ordinances for detached dwellings.
11. Both attached and detached ADUs must have their own full kitchen facilities and must have sanitation facilities separate from the primary residence.
12. No ADU shall be leased for a term of less than thirty (30) days.
13. Each ADU or JADU requires a separate entrance which shall not face the street unless the access to the unit required by the California Building Code is precluded by an existing permitted structure.

**The following requirements apply specifically to JADUs:**

1. One (1) JADU within the boundaries of the existing residence is permitted in addition to a detached ADU on the lot.
2. The total floor area of a JADU shall not exceed five hundred (500) square feet.
3. The JADU must retain its interior connection to the primary residence, and a separate exterior entry to the JADU must be provided.
4. No additional parking is required for a JADU.

5. The JADU must include an efficiency kitchen that includes a cooking facility with appliances and a food preparation counter and storage cabinets of reasonable size in relation to the size of the JADU.
6. The JADU may either have its own sanitation facilities or share facilities with the primary residence to which it is attached.
7. The owner of the residence containing a JADU must reside in either the primary residence area or the JADU. An owner may not simultaneously and separately rent both the primary residence and a JADU within such residence.

#### **IV. Responsibility of Owner for ADU/JADU**

An owner who constructs an ADU or JADU on such owner's lot, whether within the primary residence or as a detached structure, shall be responsible, at such owner's cost and expense, to maintain, repair, and replace their ADU or JADU and all components thereof, and shall be responsible for the cost of any damage to common area, exclusive use common area, or another owner's separate interest resulting from or caused by such construction, maintenance, repair, or replacement of the ADU or JADU. In addition, any owner who constructs an ADU or JADU on their lot shall be fully responsible for insuring such structure, in an amount not less than the full replacement value of such structure or such other amount as may be required by their institutional lender, in accordance with the requirements of the Association's CC&Rs, and shall further be fully responsible for maintaining public liability insurance over/within such structures/areas.