

Accessory Dwelling Units Rules

Oak Ranch Estates Home Owners Association (OREHOA)
c/o Concord Consulting & Association Services, P.O. Box 6105, Oxnard, CA 93031-6105

APPROVED AND EFFECTIVE January 16, 2023

The following Rules are hereby adopted by OREHOA pursuant to California Civil Code Section 4751.

DEFINITIONS

1. These residential dwelling units are defined as any of the following: second structure on a lot, addition to an existing dwelling (primary residence) or conversion of part of an existing dwelling (primary residence) such as finished basement or garage conversion. Further
 - a. Accessory dwelling unit (ADU): an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with an existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. This unit may be up to 50% of the existing primary residence floor space but not more than 1,200 sq. ft. nor less than 800 sq. ft. in size.
 - b. Junior accessory dwelling unit (JADU), also known as an efficiency unit: a residential dwelling unit contained within the existing residence which provides living space, simple kitchen facilities (sink, cooking appliances, refrigerator and counter space) and must have a separate entrance. The unit may have its own bathroom facilities (toilet, sink and tub or shower) or may share bathroom facilities with the primary residence. This unit may be up to 50% of the existing primary residence floor space but not more than 500 sq. ft. in size.

RESTRICTIONS ON ADUs and JADUs (hereafter: AUs)

1. Second-story additions are not permitted and only one ADU and one JADU is permitted per lot.
2. The AU may be rented separately from the primary residence but may not be sold or otherwise conveyed separately from the primary residence.
3. When an AU is rented, owner must comply with CC&R Section 3.20 and Rule C.3 of Rules and Regulations.
4. An owner must occupy the residence in which the JADU will be located and may reside in either the remaining portion of the structure or the newly created JADU.

CONSTRUCTING AN ADU or JADU

1. If an owner wishes to construct an AU the following procedures must be followed:
 - a. CC&R Sections 6.05 thru 6.15 apply.
 - b. Submit a project application to the Architectural Committee as spelled out in CC&R Section 6.06 and Architectural Committee Landscape Rules. Application must be submitted a minimum of 30 days prior to desired start date of construction.
2. Owners are responsible for meeting all local, county and/or state and other regulatory agency permitting ordinances, including those addressing setbacks and lot coverage requirements.

NEW INTERPRETATIONS OF CERTAIN CC&R SECTIONS

Due to mandatory changes to California Law regarding ADUs and JADUs, the following existing CC&R sections will hereafter be interpreted as follows:

1. 2.19 "Residence." Currently refers to single home on lot occupied by one family. New ADU Rules allow for multiple dwellings and/or families on one lot.

2. 3.05 Permitted Improvements. This section has been updated to incorporate ADU Rules. This entire section will be interpreted as follows:

“The primary improvements on each Residential Lot shall be one detached, single-family dwelling with a floor area of not less than one thousand five hundred (1,500) square feet, exclusive of outside or open porches, basements, cellars, garages and carports. Each Residential Lot may also be improved by one garage either attached to or detached from the primary dwelling designed for use by not more than three (3) automobiles not to exceed 816 sq. ft., one barn or stable not to exceed 800 sq. ft., one corral not to exceed 576 sq. ft., one swimming pool, and such decks, paved areas, screening walls, fences, hedges and windbreaks as may be incidental or appurtenant to the residential use of the premises; but barns or stables, and corrals may be erected only on Lots of twenty thousand (20,000) square feet or more. A Residential Lot may also be improved with an Accessory Dwelling Unit (ADU). An existing single-family dwelling may incorporate a JADU. All residential structures shall be built with raised sub-floor construction excepting garages, patios, barns, carports, stables and accessory dwelling units which may utilize slab concrete construction. No other Improvements shall be erected or permitted upon a Residential Lot without the express written consent of the Architectural Committee, the provisions of Section 6.08 below for tacit approval notwithstanding.”

Existing language no longer in effect: ~~The primary improvements on each Residential Lot shall be one detached, single-family dwelling with a floor area of not less than one thousand five hundred (1,500) square feet, exclusive of outside or open porches, basements, cellars, garages and carports. A Residential Lot may also be improved with one additional attached or detached dwelling for servants and/or guests, without kitchen facilities other than a small kitchenette suitable only for preparing breakfasts and light lunches; provided, however, that no such additional dwelling shall ever be rented separately from the primary dwelling; and provided further, that no such additional dwelling shall be erected until the primary dwelling on the same Lot has been constructed or is in the process of construction. Each Residential Lot may also be improved by one garage designed for use by not more than three (3) automobiles, one barn or stable, one corral, one swimming pool, and such decks, paved areas, screening walls, fences, hedges and windbreaks as may be incidental or appurtenant to the residential use of the premises; but barns, stables, and corrals may be erected only on Lots of twenty thousand (20,000) square feet or more. All residential structures shall be built with raised sub-floor construction, excepting garages, patios, barns, carports and stables which may utilize slab concrete construction. No other Improvements shall be erected or permitted upon a Residential Lot without the express written consent of the Architectural Committee, the provisions of Section 6.08 below for tacit approval notwithstanding.~~

3. 3.06 Dwelling Facilities. Add to end of sentence "... authorized under Section 3.03 and Section 3.05."

4. 3.20 Rental. Revise first paragraph as follows: "An Owner shall be entitled to rent the single family dwelling or accessory dwelling unit situated on his or her Lot to another person or Family, provided that the term of said rental shall not be for a term less than thirty (30) days. Refer to Accessory Dwelling Units Rules for owner occupancy requirements for rentals."

If there is a conflict due to continuing changes in the laws enacted and the Current Civil Codes, the requirements of the Current Civil Codes shall prevail.