

# SEASCAPE VILLAGE OWNERS ASSOCIATION

## Architectural Guidelines for Accessory Dwelling Units & Junior Accessory Dwelling Units

An Accessory Dwelling Unit (ADU) is defined as an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It must include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel that the single-family dwelling is situated and must have a separate exterior entrance independent from the existing principal residence. ADUs may not be sold separately from the primary residence and only one ADU is allowed per lot. The maximum total floor space area of an attached ADU shall not exceed 50 percent of the proposed or existing primary dwelling living area. The total area of floorspace for a detached ADU shall not exceed 1,200 square feet. The City of San Clemente further limits the size of a detached ADU to 850 square feet (1,000 square feet if detached ADU provides more than one bedroom) if there is already a JADU on the lot.

A Junior Accessory Dwelling Unit (JADU) is a residential dwelling unit that is no more than 500 square feet in area, contained entirely within an existing single-family residence. A JADU must have an outside entrance and separate cooking facilities, but may share bathroom facilities with the main house on the lot.

ADUs and JADUs are only permitted in planned unit development properties.

The following guidelines apply to the proposed construction of an ADU or JADU:

(1) Owner must submit a completed Application for Proposed Construction (“Application”), three sets of detailed plans/drawings, a copy of your model floor plan with marked location(s) of proposed work/alterations, samples of material, picture(s) of current proposed exterior location showing before conditions, and a processing fee to the Association prior to Architectural Committee review. The current processing fee is required according to the schedule of fees below, and is subject to change:

ADU/JADU of 250 square feet or less	\$100.00
in excess of 250 square feet, up to 1,000 square feet	\$250.00
in excess of 1,000 square feet	\$450.00

(2) The Architectural Committee may require up to 60 days to process an Application. Applications are reviewed by the Architectural Committee at a meeting on the first Thursday of each month. Thorough preparation by the applicant shortens the approval time. The Application must be received at least seven (7) days prior to the scheduled Architectural Committee meeting otherwise it may not be reviewed until the next scheduled meeting.

(3) Approval of an Application will be conditioned upon the Owner entering into a Maintenance and Liability Agreement with the Association whereby Owner agrees to maintain the ADU/JADU and indemnify the Association for any damages arising from the construction

and/or maintenance of the ADU/JADU. Owner will be required to pay for the costs to prepare and record this Agreement. Owner must further agree to pay an additional fee to the Association for the Association's costs to maintain the ADU/JADU (exterior paint, garage doors, front entries and roofing).

(4) The Application must be approved by the Architectural Committee prior to the initiation of any ADU or JADU installation.

(5) Approval of any project by the Architectural Committee does not waive the necessity of obtaining the required City permits. Obtaining City permits does not waive the need for approval by the Architectural Committee prior to construction.

(6) ADUs and JADUs must be designed to be compatible with the existing main dwelling and other adjacent homes. ADUs and JADUs will be approved with respect to architectural considerations, which the Committee, in its discretion, will deem appropriate.

(7) ADUs shall be constructed, located and screened to minimize the impact on any existing adjacent and/or neighboring structure or common area. ADUs may not be located closer to the front property line than the front-most building wall of the principal dwelling unit.

(8) ADUs/JADUs shall match the architectural characteristics of the main dwelling and neighborhood in style, colors and materials (examples: matching design, roofing materials, siding, stucco, windows, doors, etc.).

(9) If a garage is converted to an ADU/JADU, the exterior of the ADU/JADU facing the street must be designed to resemble a garage door or a garage door must remain on the street-side of the ADU/JADU.

(10) The minimum side and rear setback requirement from the property line or fence to the ADU/JADU must comply with all City requirements.

(11) The minimum setback from the face of the street curb to the face of the garage wall shall not be reduced.

(12) To the extent possible, a detached ADU should be screened from view from adjacent streets, public sidewalks, walkways, greenbelts, parks and surrounding properties by the use of fences, hedges or other appropriate plant materials. Such visual mitigation shall be designed so the ADU is screened from view upon installation.

(13) The slope of the ADU roof shall be compatible with the existing main dwelling roof. The material, color, and texture of any new ADU roof shall be identical to the existing main dwelling roof or consistent with the Architectural Standards. All proposed projections through the roof must be noted on the drawings.

(14) Exterior doors on any ADU or JADU shall be screened and minimized from view to the extent possible.

- (15) Detached ADUs may not exceed one-story and a height of sixteen (16) feet or the height of the principal dwelling unit, whichever is less.
- (16) All windows and doors shall be designed to minimize the impacts onto the adjacent properties, including, but not limited to, window placement that avoids direct alignment with adjacent properties' windows, and with the ADU's windows and doors located toward the existing on-site residence.
- (17) The Applicant is responsible to ensure the original graded direction of surface water and drainage flow is not disturbed or altered to adversely affect neighboring properties.
- (18) Upon completion of construction of the ADU/JADU, a Notice of Completion with accompanying photographs of the exterior and interior must be provided to the Association within thirty (30) days, and the Association reserves the right to confirm completion in compliance with the approved plans by an exterior and/or interior inspection of the completed project.
- (19) All other provisions of the Association's governing documents relating to submittal requirements apply to any proposed construction of an ADU or JADU.
- (20) All restrictions, rules and requirements set forth in the Association's governing documents relating to renting and leasing of a Residence apply to the lease or rental of an ADU or JADU.
- (21) No ADU/JADU may be rented for less than thirty (30) consecutive days.
- (22) Owner occupancy is required in either the ADU/JADU or the primary residence.
- (23) These Guidelines are intended to be compliant with California statutory law. To the extent that any of these Guidelines are determined to conflict with such law, the statutory law shall control.