

## DEFINITIONS

<b>Abandoned</b>	The cessation of use and maintenance of a property by the owner thereof with no intention of resuming the use of the property. Vacant properties offered for sale or rental, but effectively maintained in an orderly manner shall not be construed to be abandoned.
<b>Abutting Land</b>	A parcel of land having a common boundary with another parcel of land including parcels which have no common boundary other than a common corner.
<b>Accessory Building or Structure</b>	A building or structure which is incidental to the principal structure, and not designed for human habitation. Such structures may be attached to or detached from the primary structure. Typical accessory buildings or structures would include garages, gazebos, workshops, sheds and patios.
<b>Accessory Living Quarters</b>	Shall mean living quarters within the primary structure or an accessory structure for the sole use of persons employed on the premises, relatives or guests of the occupants of the premises, having no kitchen or cooking facilities and not rented or otherwise used as a separate dwelling.
<b>Accessory Use</b>	A use of a portion of land or building which is customarily and clearly incidental and subordinate to the principal use of the land or building which is located on the same lot as such principal use. Accessory uses typically are very small in proportion to the principal use.
<b>Addition</b>	Any construction that is attached to an existing building or facility and which increases the size or capacity of a building or facility in terms of site coverage, height, length, width, or gross floor area.
<b>Agent</b>	Any person authorized to act for the owner of a property by virtue the express terms of a written contract, a proof of contract to purchase, or a lease to the property.
<b>Alteration</b>	Any change in the supporting members of a structure such as bearing walls, partitions, columns, beams or girders, floor joists or roof joists, roof rafters, foundations, piles, or similar components.
<b>Antenna</b>	An electronic device comprised of one or more integrated elements which receives and transmits radio waves to provide commercial and non-commercial wireless telecommunication services.
<b>Applicant</b>	A member of the Association or their authorized agents.

<b>Application</b>	The form, information, exhibits and fees submitted by an applicant for purposes of requesting approval of a proposed exterior modification.
<b>Architect</b>	An individual skilled and experienced in the design and construction of structures and licensed by the State of California to use the title 'Architect'.
<b>Awning</b>	A roof-like cover that is attached to, and projects from, the wall of a building for the purpose of shielding from the elements.
<b>Balcony</b>	A platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade, or parapet.
<b>Basement</b>	Living or storage area which is constructed wholly underground, meaning below the exterior finished grade (as originally graded by the Declarant) on all sides, with no more than 20% of the lineal footage of the exterior wall broken by light wells, no light well wider than four feet and no light well within six feet of another light well.
<b>Bay Window</b>	A window or group of windows projecting from a room.
<b>Bedroom</b>	Any habitable room other than a bathroom, kitchen, dining room or living room.
<b>Berm</b>	A small mound of earth, usually located at the top of a slope sufficient to direct water from the building pad away from the slope.
<b>Bicycle</b>	A device upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, and having one or more wheels.
<b>Building</b>	Any structure used or intended for supporting or sheltering any use or occupancy.
<b>Building Height</b>	The vertical distance, measured from the exterior finished grade (as originally graded by the Declarant).
<b>Building Pad</b>	The level area of a lot (as originally graded by the Declarant) designed for the construction of buildings and structures.
<b>Building Site</b>	A lot or contiguous lots of land which provides the area and open spaces required for construction of a building or buildings, and which abuts a public or private street, alley or easement.
<b>Camper</b>	A structure designed to be mounted upon a motor vehicle to provide facilities for human habitation or camping purposes.

	A camper having one axle is not considered a vehicle.
<b>Chimney</b>	A vertical structure extending vertically above the roof of a building for the purpose of carrying off heat, smoke, soot, and/or ash.
<b>Common Area</b>	Parcels owned by the Association for the common use and enjoyment of the owners of property within Niguel Shores.
<b>Courtyard</b>	An open, unoccupied space, which is unobstructed from ground to sky, other than a yard, on the same lot with a building and bounded on two or more sides by the walls of a building.
<b>Deck</b>	A platform, either freestanding or attached to a building that is supported by pillars, posts or walls.
<b>Declarant</b>	The person or group of persons designated in the declaration as declarant, or if no declarant is designated, the person or group of persons who sign the original declaration or who succeed to special rights, preferences, or privileges designated in the declaration as belonging to the signator of the original declaration.
<b>Draftsman</b>	A person who makes mechanical drawings, an artist skilled in a drawing, a person who draws up documents.
<b>Driveway</b>	A paved access way providing direct vehicular access to a garage, parking area or use which requires vehicular access.
<b>Drone</b>	An unmanned aircraft or ship guided by remote control or onboard computers
<b>Easement</b>	An interest in real property owned by another that entitles its holder to a specific limited use or privilege, such as slope maintenance easement or homeowner maintenance easements.
<b>Eave</b>	See 'overhang, roof'.
<b>Electric or Motorized Bicycle</b>	A bicycle equipped with an electric motor that either provides assistance when the rider is peddling or may exclusively propel the bicycle.
<b>Elevation</b>	A scale drawing of the front, rear, or side of a building structure.
<b>Fence</b>	A solid, opaque, clear, or open barrier above ground intended to enclose or mark a boundary.
<b>Garage</b>	An enclosed building or structure, or part thereof, used or intended to be used for the parking of motor vehicles.
<b>Golf Cart</b>	A motor vehicle having not less than three wheels in contact

	with the ground, and designed to carry golf equipment and not more than two persons, including the driver. (see also 'low speed vehicles)
<b>Grade, Existing</b>	The elevation of the ground (as originally graded by the Declarant) which exists prior to the start of any site preparation, grading, or construction related to the project being proposed.
<b>Greenbelt</b>	An open area, cultivated, landscaped or maintained in a natural state, which surrounds or is adjacent to development.
<b>Hardscapes</b>	Any durable material or feature installed in or around a landscaped area, such as pavements or walls.
<b>Hedge</b>	A grouping of vegetation, composed exclusively of shrubs or bushes, planted, grown, maintained and shaped in a linear pattern which forms a solid barrier similar in shape and proportion to a fence or wall.
<b>Household Member</b>	Individual residing on-site with the Owner full-time.
<b>Improvement</b>	As pertaining to an architectural item or element – To either remove and replace an existing item with new material/ location or install a new item altogether.
<b>Landscape Contractor</b>	A person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
<b>Landscaped Area</b>	All the planting areas, turf areas, and water features in a landscape design plan subject to the maximum applied water allowance and estimated applied water use calculations. The landscaped area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designed for non-development (e.g., open spaces and existing native vegetation).
<b>Landscape Plan</b>	A plan which indicates the type, size and location of vegetative and accent material proposed for the covering of all area of a site not covered by a building, including all irrigation and other devices necessary to maintain such landscaping.
<b>Landscaping</b>	Area devoted to or developed and maintained primarily with native or exotic plant material including lawn, ground cover, trees, shrubs, and other plant materials Landscaping may also include small amounts of accessory decorative outdoor landscape elements such as ponds, fountains, and paved or decorated surfaces, (excluding

	driveways, parking, loading, or storage areas), and sculptural elements, all of which are suitable designed, selected, installed, and maintained to enhance a site.
<b>Loitering</b>	Stand or wait around idly or without apparent purpose.
<b>Lot</b>	Any numbered plot of land shown upon any recorded subdivision map of Niguel Shores or any portion thereof with the exception of Common Areas as herein above defined.
<b>Lot Line</b>	The lines bounding a lot as defined herein.
<b>Low Speed Vehicle</b>	Is similar to a golf cart except that it is not designed specifically to carry golf equipment. Is also known as a 'neighborhood electric vehicle'.
<b>Member</b>	Individual listed on the deed (See also 'Owner'). Has voting rights, and is responsible for all activity relating to the property.
<b>Mobile Home/ Motorhome</b>	A trailer coach which is in excess of 102 inches in width, or in excess of 40 feet in overall length measured from the foremost point of the trailer hitch to the rear extremity of the trailer.
<b>Motorcycle</b>	A motor vehicle having a seat or saddle for the use of the rider, designed to travel on not more than three wheels in contact with the ground. A three-wheeled motor vehicle that has a partially or completely enclosed seating area for the driver and passenger is not a motorcycle.
<b>Motorized Scooter</b>	Any two-wheeled device that has handlebars, has a floorboard that is designed to be stood upon when riding, and is powered by an electric motor. This device may also have a driver seat that does not interfere with the ability of the rider to stand and ride and may also be designed to be powered by human propulsion.
<b>Motor Vehicle</b>	A vehicle that is self-propelled. Does not include a self-propelled wheelchair, motorized tricycle, or motorized quadricycle, if operated by a person who, by reason of physical disability, is otherwise unable to move about as a pedestrian.
<b>New Construction</b>	All the existing structure(s) or hardscape and landscape are entirely removed and replaced on a lot.
<b>Open Space</b>	Shall mean any parcel or area of land or water set aside, dedicated, designated or reserved for public or private use enjoyment.
<b>Original Grade</b>	The grade level existing at the time of most recent house

	purchase.
<b>Overhang, Roof</b>	That portion of a roof which extends beyond the vertical façade or face of a lower wall.
<b>Owner</b>	Individual listed on the property deed (See also ‘Member’).
<b>Parapet</b>	The extension of the walls of a building above the roof level.
<b>Park or Parking (vehicle)</b>	The standing of a vehicle, whether occupied or not, otherwise than temporary for the purpose of and while actually engage in loading or unloading merchandise or passengers.
<b>Parcel</b>	An area of land under one ownership that has been legally subdivided, has a Certificate of Compliance or was combined in accordance with the Subdivision Map Act and which is shown as a single parcel on the latest equalized assessment roll.
<b>Passenger Vehicle</b>	Any motor vehicle, other than a motor truck, truck tractor, or a bus, and used or maintained for the transportation of persons.
<b>Permit</b>	An authorizing document issued by local agencies for new construction or rehabilitated landscape.
<b>Pervious</b>	Any surface or material that allows the passage of water through the material and into the underlying soil.
<b>Porch</b>	A covered pedestrian entrance to a building which is on the first floor level.
<b>Recreational Vehicle (RV)</b>	A motor home, slide-in camper, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy.
<b>Repair (of existing item)</b>	As pertaining to an architectural item or element – To restore a portion of an existing item using the same material without removing the item in its entirety, or changing its size, shape or placement.
<b>Replacement</b>	As pertaining to an architectural item or element – To completely remove and reinstall an existing item.
<b>Roof Deck</b>	A structure that is constructed above the top plate line of a structure, accessed from below the top plate line, and which is designed to function as an outdoor patio or observation area.
<b>Room</b>	An area within a building that is fully enclosed by walls, a ceiling and a floor, including at least one door way access and which may include a door(s) or window(s).
<b>Satellite Dish</b>	Any antenna in the shape of a shallow dish, and appurtenant equipment, used for the reception of communications

	(television and otherwise) from orbiting satellites or ground transmitters.
<b>Screening</b>	A method of visually shielding or obscuring any abutting or nearby structure, use or mechanical device from another by fencing, walls, berms or densely planted vegetation.
<b>Setback</b>	The minimum required distance between a building or structure, and a property line, top of slope, toe of slope or easement.
<b>Setback Line</b>	A line within a lot, parallel to and measured from a corresponding lot line, top of slope, toe of slope, or easement, forming the boundary of a required yard and governing the placement of buildings/structures and uses on a lot.
<b>Sidewalk</b>	A paved surface or leveled area used as a pedestrian walkway which parallels and is usually separated from, but may be adjacent to, the street.
<b>Site</b>	A lot or parcel of land or combination of contiguous lots or parcels of land used or intended for a particular use or group of uses.
<b>Site Plan</b>	A diagram of a property proposed for development as seen from above. The diagram shall be drawn to scale and properly dimensioned. The diagram shall illustrate the existing and proposed uses and structures on the property in accordance with the applicable regulation and shall include lot lines, fences, walls, streets, grades, slopes, building sites, landscaping, parking areas, structures, and uses on adjacent parcels, easements, and other specific development proposals.
<b>Slope</b>	The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees.
<b>Solar Energy Systems</b>	A complete design or assembly consisting of a solar energy collector, energy storage facility, and components for the distribution of transformed energy.
<b>Stairway</b>	A flight, or flights of stairs that are connected by common landings.
<b>Stored or Storing (vehicle)</b>	The parking of a vehicle in the same location for a period in excess of seventy-two (72) consecutive hours.
<b>Story</b>	That portion of a building included between the surface of any floor and the upper surface of the floor next above it, except of the topmost floor and the ceiling or roof above.
<b>Street</b>	An accessible vehicular right-of-way, other than a driveway, which affords a primary means of access to abutting property.

<b>Structure</b>	A combination of materials which is assembled for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water. Includes, but it not limited to any building, road, wall and fence.
<b>Tenant</b>	A lessee or other person renting a residence from the owner of the residence.
<b>Trailer</b>	A vehicle designed for carrying persons or property on its own structure and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon any other vehicle.
<b>Turf</b>	A ground cover surface (synthetic) or mowed grass.
<b>Vehicle</b>	A device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.
<b>Wall</b>	A solid barrier intended to enclose, separate or surround and typically four inches or more in thickness and comprised of concrete or concrete block.
<b>Water Feature</b>	A design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied).
<b>Window</b>	An opening which is in a wall of a building, designed to allow light and/or ventilation into the building, enclosed by casement or sash and contains glass or other similar transparent or semitransparent material.
<b>Xeriscape</b>	Landscaping characterized by the use of vegetation which is drought-resistant or low water use in character.
<b>Yard</b>	An open space on a developed lot that is unoccupied or unobstructed from the ground upwards.
<b>Yard, Front</b>	The open space extending across the full width of the front of the lot, the depth of which is the horizontal distance between the front lot line and a line parallel thereto on the lot.
<b>Yard, Rear</b>	The open space extending across the full width of the rear of lot, the depth of which is the horizontal distance between the rear lot line and a line parallel thereto on the lot.
<b>Yard, Side</b>	The space between the main building and the side lot line, extending from the front yard to the rear yard; the measured distance of the yard shall represent the shortest distance between the side lot line and that portion of the main building



	nearest the line from which the measurement is taken.
<b>Zero Lot Line</b>	The location of a building on a lot in such a manner that one or more of the building's sides rests directly on a side lot line.