

ROCK CREEK MASTER HOMEOWNERS ASSOCIATION, INC.

**POLICY REGARDING THE CONSTRUCTION AND USE OF
ACCESSORY DWELLING UNITS ON LOTS**

PURPOSE: To provide guidance regarding the construction and use of accessory dwelling units (ADU's) by Owners.

AUTHORITY: The following procedures have been adopted pursuant to the provisions of C.R.S. 38-33.3-302(1)(a)

EFFECTIVE

DATE: October 30, 2025

RESOLUTION: An Owner may construct an accessory dwelling unit on their Lot subject to the following rules and regulations:

1. Definition. Accessory dwelling unit (“ADU”) means an internal, attached or detached dwelling unit that (a) provides complete independent living facilities for one or more individuals, (b) is located on the same Lot as the primary house, and (c) includes facilities for living, sleeping, eating, cooking, and sanitation.
2. ACC Approval Required. Written approval from the Architectural Control Committee (“ACC”) must be received prior to the construction of an ADU with any external modification or construction. All applications submitted to the ACC must indicate the location, size, materials, and color scheme of the proposed ADU that will be installed. Applications must include a plot plan showing the proposed footprint of the ADU with setbacks, dimensions and easements drawn to scale as well as architectural designs showing the proposed elevations.
3. General Guidelines. An ADU must comply with the Association’s current policies, guidelines and Covenants regarding the construction of exterior improvements, including the *Rebuild and New Home Construction Policy*, *Exterior Finishes Guidelines*, *Sheds and Other Backyard Out-Structures Guidelines* and *Roof Replacement Policy*. The ADU must have similar looking siding, color scheme, and roof shingles as the primary house of the Lot, as determined by the ACC. In addition, the following guidelines must be followed:
 - Only one ADU is allowed per Lot.
 - Size. The ADU must be between 500 and 750 square feet in size.
 - Height. Detached ADU’s can be no higher than the primary house, and in no instance more than 25 feet high, measured from the ground to the peak of the roof, including any foundation, pad, or footing. For sloping yards, height is to be measured from the lowest point of the yard that the ADU touches. Attached ADU’s may not be higher than the primary house.
 - Location. An attached or detached ADU is to be located to the rear of the primary house in the area of the Lot that is bordered on one side by the rear of the house (excluding any patio or deck) and on another side by the rear property line.
 - Setbacks. The ADU must have a setback of 10 feet from the rear property line, with a setback of 5 feet from the side property line if bordering a neighbor’s property and 10 feet from any side that is along a street (e.g. a corner lot). All distances are minimum requirements measured from the property line to the closest point of the structure. Please note that other setbacks may apply to your property, such as utility setbacks if you border a street or alley.
 - Permits. Owner must obtain all necessary permits and approvals from Boulder County and

the Town of Superior.

4. Occupancy Limits. The number of occupants of an ADU may be limited as necessary to comply with demonstrated health and safety standards, as may be set forth in the International Building Code, Fire Code or Colorado Department of Public Health and Environment guidelines.
5. Short Term Rentals. The renting or leasing of an ADU is subject to the terms and conditions of the Association's Resolution Regarding Short-Term Rentals
6. Parking. The Lot Owner must designate at least 1 spot in the driveway or garage of the primary residence for use by the residents of the ADU.
7. Maintenance. An ADU shall at all times be maintained in a neat and attractive condition. The Owner of the Lot is responsible for the repair and maintenance of any ADU on their Lot.
8. Variances. The Board of Directors may grant variances to these rules and regulations as necessary to ensure that the cost to construct an ADU is not unreasonably increased or prohibited.
9. Violations of this Policy shall be subject to the procedures and fines set forth in the Association's Covenant Violation Fining Policy and Covenant Violation Hearing Policy.
10. Unless otherwise defined in this Policy, capitalized terms defined in the Declaration shall have the same meaning herein.
11. The provisions of this Policy shall be in addition to and in supplement of the terms and provisions of the Declaration and Colorado law.
12. This Policy may be amended from time to time by the Board of Directors.

PRESIDENT'S

CERTIFICATION: The undersigned, being President of the Rock Creek Master Homeowners Association, Inc., certifies that the foregoing Policy was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board on October 30, 2025, and in witness thereof the undersigned has subscribed his/her name.

**ROCK CREEK MASTER HOMEOWNERS
ASSOCIATION, INC.**

By:  _____
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