

# ROCK CREEK MASTER HOMEOWNERS ASSOCIATION

## TREE POLICY

**PURPOSE:** To provide requirements and guidance regarding trees on homeowner lots.

**AUTHORITY:** Whereas, The following rules and regulations have been adopted pursuant to the provisions of C.R.S. 38-33.3-302(1)(a)

**RESOLUTION:** Whereas, Described in Article VIII, Restrictive Covenants and Obligations – Use of Dwelling Units: Section 8.7(o) Landscaping; The Rock Creek Master Homeowners Association hereby adopts the following rules and regulations for the installation and maintenance of trees on homeowner lots.

**EFFECTIVE DATE:** August 29, 2024

### I. Key Provisions

A. **Lot Requirements:** All lots must have a tree in the front yard. If the original or replacement tree dies, it must be replaced.

B. **Prohibited Trees:** Certain types of trees are prohibited and will not be approved, those include, but are not limited to (see Appendix A for description):

- a) Ash
- b) Austree
- c) Black Walnut
- d) Cottonwood
- e) Russian Olive
- f) Siberian Elm
- g) Silver Maple
- h) Tamarisk (Saltcedar)
- i) White Bark Birches
- j) Willows

- C. **Fruit Bearing Trees:** Fruit bearing trees may be planted in Rock Creek, but Fruit bearing trees are discouraged in the front yard; and larger fruit bearing trees, like apple trees, are prohibited in the front yard as they are often a nuisance to neighbors, sidewalks and streets. Homeowners are required to remove fallen fruit in their yard in a timely manner to avoid having rotting fruit on the ground. Failure to remove fallen fruit from the yard may result in the homeowner being fined pursuant to the Rock Creek Master Homeowners Association's Fining Policy.
- D. **Size:** Deciduous trees must be no less than 1.5" caliper in size at time of planting. Evergreen trees must be at least 5' in height. There are no specific mature growth height requirements other than the tree must fit on the lot in harmony with the lot and neighboring lots at maturity.
- E. **Planting:** Trees planted must be in harmony with the homeowner lot and neighboring lots, fence lines, sidewalks, and driveways.
- a) This requires planting in a spot on the lot that works both at initial planting and through mature growth of the tree.
  - b) The homeowner is responsible for any encroachment of trees from the homeowner's lot onto neighboring lots, fence lines, sidewalks, and driveways and may be required to remove or trim such trees at the owner's own cost.
- F. **Maintenance:** All trees (back and front) shall be maintained in a neat, attractive, sightly, and well-kept condition, which shall include pruning and trimming, adequate watering or drought tolerant depending on the choice in landscape, replacement of dead, diseased or unsightly limb, branches, and debris. Dead Trees must be removed from the lot (back and front).
- G. **OTHER:** Information on Tree choices, planting and care can be found at
- <https://extension.colostate.edu/topic-areas/yard-garden/?target=publications#tre>
  - <https://planttalk.colostate.edu/topics/trees-shrubs-vines/1715-selecting-trees/>
  - [https://static.colostate.edu/client-files/csfs/pdfs/trees\\_for\\_frontrange.pdf](https://static.colostate.edu/client-files/csfs/pdfs/trees_for_frontrange.pdf)
  - <https://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-trees-and-shrubs-7-229/>

H. **Architectural Control Committee (ACC) Pre-Approval Required:** As with any change or improvement to the dwelling exterior or lot, written permission must be obtained in advance by following the ACC request process. This applies even if replanting the exact same tree on the lot. Failure to do so may subject the homeowner to fines, and the homeowner may be required to change or remove any non-HOA compliant work performed – or to restore the lot or dwelling to its original condition – entirely at the homeowner’s expense, which may include any legal costs incurred by the Association.

- a) The ACC convenes monthly (twice monthly May through August).
- b) The review and approval process generally takes 20 to 30 days, but can take as long as 45 days if your request is not typical. We will make every effort to expedite approvals for rebuilds when feasible. Please build adequate time for ACC review approval into your project planning. In special situations and where possible, we will try to accommodate requests to expedite the approval process. Such requests can be made to the management company.
- c) Your ACC Request Form Must Include:
  - (a) Plot Plan, showing the proposed location of the tree.
  - (b) Tree Species you will be planting
  - (c) Size of Tree
  - (d) Size at full growth
  - (e) Size at planting
  - (f) Photo of yard/area where tree will be planted

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 the Directors of the Association at a duly called and held meeting of the Board on August 29, 2024, and in witness thereof the undersigned has subscribed his/her name.

ROCK CREEK MASTER HOMEOWNERS  
ASSOCIATION, INC

By: *John Eckhardt*  
John Eckhardt (May 2, 2025 10:04 MDT)  
John Eckhardt, President

## APPENDIX A - PROHIBITED TREES

### **Ash Trees**

Beautiful and quick-growing ash trees have come under attack by the emerald ash borer, a lethal insect that threatens to wipe out many the 1.5 million ash trees in the Denver metro area. Some preventative measures may prove helpful, but until the extent of the infestation is known, urban forestry experts recommend forgoing any new plantings.

### **Austrees**

The Austree is a hybrid willow that has become popular due to its extremely fast growth. They can be a short-term solution to erosion control, but in an urban setting their problems outweigh their advantages. Like other willows, they are water-hungry with invasive root systems that can clog sewer and septic systems. Suckers can be hard to control, and the trees are very messy, dropping large amounts of leaves and twigs year-round.

### **Black Walnut**

Another beautiful tree that does well in our climate but is subject to a lethal fungus disease called thousand cankers that has spread from the west coast to Colorado. Their wood is great for furniture and their nuts are nutritious, but they're heavy pollen producers and secrete growth-inhibiting toxins that make them a poor choice around flower and vegetable gardens.

### **Cottonwood and Other Non-Native Poplars**

These are fast-growing trees with brittle wood and shallow root systems, making them susceptible to Colorado's extreme weather conditions. Because they quickly grow to be very large, they can cause extensive damage if they break or fall, need lots of water, and are expensive to maintain and remove. They also harbor many pests, and female cottonwood trees drop a huge number of messy "cotton" seeds.

### **Russian Olive**

Widely planted around Denver at one time, Russian Olives are now considered a noxious species in Colorado. They are extremely hardy trees that propagate freely and take over areas near rivers and streams, choking out indigenous plants that native animals need to survive. Plus, they're messy and smell bad.

### **Siberian Elm**

Like its cousin the American elm, Siberian elms were heavily planted as street and landscape trees. But Siberian elms have brittle branches that are prone to breaking and cause both damage and create messy streets and lawns. While Siberian elms are resistant to the Dutch elm disease that plagues American elms, leaf miners and elm leaf beetles are a problem.

### **Silver maple**

Silver maple is another fast-growing shade tree that's brittle and shallow-rooted, making it susceptible to severe weather. Its shallow roots can invade sewer pipes and cause cracking and heaving of concrete driveways and walks.

### **Tamarisk (Saltcedar)**

Like the Russian olive, the tamarisk was introduced as an ornamental tree, but this invasive species is now considered a noxious plant in Colorado. Besides choking out native vegetation, the tamarisk secretes salt through its leaves, ruining the soil for other plants.

### **Tree-of-Heaven (*Ailanthus altissima*)**

This is another attractive non-native tree that was brought to the US as a fast-growing shade tree. But it has become highly invasive due to aggressive suckering, and it secretes foul-smelling compounds that inhibit growth of other vegetation. It is now considered a noxious plant in the US and other countries.

### **White-Barked Birches**

Like the aspen, the white birch is a high-altitude tree native to Canada and the northern US. Its native range extends as far south as Long's Canyon in the Boulder Open Space area. It's a shallow-rooted, short-lived tree that doesn't tolerate drought, heat, or high winds, making it a poor choice for most Front Range locations.

### **Willows**

The wispy delicate branches of the willow make it a beautiful landscape tree. But its aggressive water-hungry root system wreaks havoc on irrigation systems, sewer lines, and septic systems. Its weak wood is prone to cracking, and it only lives for about 30 years.