

# Impact of 2025 Auxiliary Dwelling Units (ADUs) legislation on Westridge Estates Covenants and Architectural Guidelines

The following excerpts from Westridge Estates HOA Covenants may conflict with new Colorado ADU legislation implemented in 2025. Original text is in normal font face with impacted text underlined. Suggested modifications follow in italicized text with changes underlined.

Revision: 30October25

## ARTICLE I: DEFINITIONS

Section 20: **Residence** shall mean and refer to a single-family residential dwelling constructed or to be constructed on a Lot.

*Clarification needing Board Approval: **Residence** shall mean and refer to a single-family residential dwelling and any Auxiliary Dwelling Units constructed or to be constructed on a Lot*

Section 22: **-Single-family-** shall mean and refer to any individual or group of persons related by blood or marriage or any unrelated group of not more than three (3) persons living together in a Residence.

*Clarification needing Board Approval: **Single-family** shall mean and refer to any individual or group of persons related by blood or marriage or any unrelated group of not more than three (3) persons living together in a Residence or ADU.*

## ARTICLE II. ASSOCIATION MEMBERSHIP AND VOTING RIGHTS

Section 1: **Membership:** Every Owner of a Lot shall become a Member of the Association upon acquisition of said Lot. Membership shall be appurtenant to, and may not be separated from, ownership of the Lot. Membership shall pass by operation of law upon the sale of such Lot, which sale may be by deed or by installment land contract.

*Clarification needing Board Approval: Association Membership shall remain with the Lot Owner. The owner of any ADU shall not have membership rights.*

Section 2: **Voting:** Each Owner shall have one (1) vote for each Lot owned. When more than one person or entity holds a beneficial interest in a Lot as a joint tenant, tenant in common, or otherwise, all such persons shall be Members of the Association, but shall be considered as only one (1) Owner for voting purposes.

## ARTICLE VI: ARCHITECTURAL CONTROL

### **Section 10: Use Restrictions and Building Type.**

No building or other structure shall be erected, altered, placed, or permitted to remain on any Lot other than one (1) single-family Residence per Lot, with attached. or detached garage, and other appurtenant structures.

*Clarification needing Board Approval: No building or other structure shall be erected, altered, placed, or permitted to remain on any Lot other than one (1) single-family Residence per Lot and (1) Auxiliary Dwelling Unit, each with attached. or detached garage, and other appurtenant structures.*

### **Section 13: Building Size.**

No Residence shall be erected, altered, or permitted to remain on any Lot of the Property unless the ground floor area thereof, exclusive of basements, open porches, and garages, is not less than eighteen hundred (1,800) square feet for a single-story Residence and a total of twenty-one hundred (2,100) square feet for a multi-level Residence.

***From Larimer County Land Use Code: The total square footage of the accessory living area (ADU) is limited to 40 percent of the square footage in the single-family dwelling, excluding any garage or basement area, whether finished or not, or 800 square feet, whichever is less.***

The square footage of basements, walk-outs, and garden levels shall not be included in determining the square footage of a multi-level Residence or ADU. for purposes of this provision, the terms basement, walk-out, and -garden levels shall mean any level, a portion of which is constructed below the ground elevation.

### **Section 14: Garages.**

Each Residence shall include an attached or detached garage having space for not less than two (2) vehicles.

*Recommended Modified Text: Each Residence shall include an attached or detached garage having space for not less than two (2) vehicles. : Each Auxiliary Dwelling Unit shall include an attached or detached garage having space for not less than two (2) vehicles.*

**Section 29: Siding.**

Not less than thirty percent (30%) of the gross area of the front of each Residence shall be constructed of brick or other masonry approved by the Architectural Control Committee. The gross area of the second story and the garage door shall be excluded from the gross area of the front of the residence for purposes of determining the percentage of brick to be included on the front of the Residence. The gross area of the front door and any windows shall be included in determining the total gross area of the front of the Residence.

*Recommended Modified Text: Not less than thirty percent (30%) of the gross area of the front of each Residence and Auxiliary Dwelling Unit shall be constructed of brick or other masonry approved by the Architectural Control Committee. The gross area of the second story and the garage door shall be excluded from the gross area of the front of the Residence and Auxiliary Dwelling Unit for purposes of determining the percentage of brick to be included on the front of the Residence and Auxiliary Dwelling Unit. The gross area of the front door and any windows shall be included in determining the total gross area of the front of the Residence and Auxiliary Dwelling Unit.*

**Section 30: Roof.**

The roof of each Residence shall have a minimum 6/12 pitch and a minimum overhang of twelve (12) inches.

*The roof of each Residence and Auxiliary Dwelling Unit shall have a minimum 6/12 pitch and a minimum overhang of twelve (12) inches.*