



**CITY OF ROLLINGWOOD
COMPREHENSIVE RESIDENTIAL CODE REVIEW COMMITTEE
MINUTES**

Tuesday, January 09, 2024

The Comprehensive Residential Code Review Committee of the City of Rollingwood, Texas held a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on January 9, 2024. Members of the public and the Comprehensive Residential Code Review Committee were able to participate in the meeting virtually, as long as a quorum of the Comprehensive Residential Code Review Committee and the presiding officer were physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. A video recording of the meeting was made and will be posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request.

CALL COMPREHENSIVE RESIDENTIAL CODE REVIEW COMMITTEE MEETING AND PUBLIC WORKSHOP TO ORDER

1. Roll Call

Chair Dave Bench Called the meeting to order at 5:04 p.m.

Present Members: Chair Dave Bench, Alex Robinette, Brian Rider, Jeff Marx, Duke Garwood, Thom Farrell, and Jay van Bavel (Virtually)

Also Present: City Administrator Ashley Wayman and Assistant to the City Administrator Makayla Rodriguez

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2. Discussion and possible action on the minutes from the November 28, 2023 CRCRC meeting

Brian Rider moved to approve the minutes. Thom Farrell seconded the motion. The motion passed with 7 in favor and 0 against.

REGULAR AGENDA

3. Discussion and possible action on emails and letters to the CRCRC from November 22, 2023 to January 4, 2024

Chair Dave Bench mentioned the email in the packet regarding lighting, and Brian Rider discussed his emails with resident Jerry Fleming.

The CRCRC discussed whether dark skies make sense for the city's ordinances and the lighting issues that have been discussed relating to the commercial corridor. They also discussed the impact of commercial lighting and the city's street lights.

Bryce Cox, a planner for DNRBZ, discussed the way the residential and commercial lighting codes could be organized. He also discussed that the city might have some flexibility talking to Austin Energy about the street lights.

Thom Farrell mentioned that there are many residents on Timberline Drive who are concerned about lighting from the commercial area.

The CRCRC discussed how the existing street lights came to be.

4. Review, discussion and possible action on draft recommendations

Chair Dave Bench spoke regarding the discussion from the previous CRCRC meeting as well as the proposed recommendations to be discussed today. He also described the process of going through these recommendations, discussing them and coming out of the meeting with most of a page of recommendations. He also explained that he would like to have some information ready for the council meeting next week.

The CRCRC discussed the recommendation document and the guiding principle.

The CRCRC discussed the recommendation document in terms of setbacks, that many existing plats contain setback lines and the current setbacks included in the code. They discussed how many feet the setbacks should be and where the proposal of 15 feet on each side came about as well as if FAR should be considered in the setbacks of a lot.

City Administrator Ashley Wayman discussed the way the code currently reads and is interpreted regarding setbacks.

Bryce Cox discussed how lots that were made existing non-conforming would be handled in this process.

The CRCRC further discussed the proposal for setbacks.

Thom Farrell moved for 15 and 15. Brian Rider seconded the motion.

Jeff Marx stated that he did not agree with the proposal, and Jay Van Bavel stated that he believed this may get some pushback. Alex Robinette discussed the nuance required here and agreed with the intent to get a reaction on this number. Duke Garwood stated that he was not opposed to this proposal.

The motion passed with 7 in favor and 0 against.

Chair Dave Bench discussed the proposal regarding corner lot side yards and the current code.

Brian Rider moved to reduce street facing corner-lot side yard setback to 20 feet from the current 30 feet. Duke Garwood seconded the motion.

The CRCRC discussed that there is varying street right of way throughout the city.

Bryce Cox was asked about whether 20 feet would cause a line of sight issue and he stated that it would not.

The motion passed with 7 in favor and 0 against.

Chair Dave Bench discussed the proposal to “Explore trading 5 feet of front yard setback for 5 feet of back yard setback” and explained that this proposal came from the survey showing residents care more about backyards than front yards.

The CRCRC discussed pools in the setback, topography, and setback requirements in surrounding cities.

Thom Farrell moved that the CRCRC explore trading 5 feet of front yard setback for 5 feet of backyard setback. Jay van Bavel seconded the motion.

The CRCRC discussed a possible amendment to the motion adding in exploring allowing pools in the rear setbacks.

The motion passed with 7 in favor and 0 against.

Bryce Cox stated that the location of pools is regulated in the same place as sport courts.

Jeff Marx moved to add a fourth bullet that would state “explore allowing pools in the rear setback.” Thom Farrell seconded the motion.

Jeff Marx explained his motion and the situation he ran into building his pool.

Jeff Marx amended his motion to state that the pool gets an additional 5 feet into the rear setback making it 15 feet from the rear property line. Thom Farrell seconded the amendment. The motion passed with 7 in favor and 0 against.

Chair Dave Bench discussed building height and that he would like to establish a subcommittee on building height to be chaired by Alex Robinette. The committee agreed to her chairing this subcommittee.

The CRCRC discussed the proposal that “Residential buildings will be no higher than 35 feet at any point.”

Thom Farrell moved to propose that “residential buildings will be no higher than 35 feet at any point above natural grade pre-construction.” Duke Garwood seconded the motion.

The CRCRC discussed how this would be applied to sloped lots.

Bryce Cox stated that establishing the concept about how it should be measured would be helpful so that code could be drafted at some point.

The motion passed with 7 in favor and 0 against.

Thom Farrell moved that the method for measuring allowable building height may be revised by the subcommittee as long as the maximum of 35 feet is maintained. Alex Robinette seconded the motion. The motion passed with 7 in favor and 0 against.

Alex Robinette stated that the survey showed that the community doesn't understand the rules, showing that the code is flawed.

Thom Farrell moved that the subcommittee would develop height specifics that will include a containment envelope, defined by property boundaries and allowable heights, will constrain the permit-able dimensions of a building, and the containment envelope will include exposed foundations. Alex Robinette seconded the motion.

The CRCRC discussed that this motion just gives the subcommittee direction.

Thom Farrell amended his motion to change "containment envelope" to "building envelope" and to add "restrictions" after exposed foundations. Alex Robinette seconded the amendments. The motion passed with 7 in favor and 0 against.

The CRCRC discussed exposed foundation and the way some homes are currently constructed. They discussed the intent to screen foundations from the public view.

Thom Farrell moved that foundation exposure within the public view from the street cannot exceed 6 feet. Brian Rider seconded the motion. The motion passed with 7 in favor and 0 against.

The CRCRC discussed the required screening proposed.

Thom Farrell moved that foundation exposure within public view must be screened such that viewable portion does not exceed 2.5 feet. Duke Garwood seconded the motion. The motion passed with 7 in favor and 0 against.

Dave Bench discussed that there are many people that are for getting rid of this ordinance disallowing corner lot circle driveways.

Alex Robinette moved to remove the ordinance restricting corner lot connecting driveways. Jeff Marx seconded the motion. The motion passed with 7 in favor and 0 against.

Chair Dave Bench discussed fencing and that the subcommittee that drafted this proposal felt that the neighbors should have a say in it.

Thom Farrell discussed his view that the city shouldn't encourage neighbors to have conflicts with one another, if a fence is a certain height it needs to be structurally sound and that it is hard to understand the impact of the fence height until it is constructed.

The CRCRC discussed the current regulations and how the city should be involved in this process.

Bryce Cox discussed that if the CRCRC is seeking a different avenue for approval of taller fences, a special exception could be created that goes to the BOA.

The CRCRC discussed the current noticing requirements.

The CRCRC discussed who would come up with the criteria on this and Bryce Cox stated that he thought that Council would probably want some input on this.

Thom Farrell moved that the maximum height is 8 feet unless granted special exception from the Board of Adjustment. Brian Rider seconded. The motion passed with 7 favor and 0 against.

The CRCRC discussed trees and the tree ordinance. Dave Bench discussed the need for a subcommittee to dive into trees and that Jay Van Bavel has agreed to chair that subcommittee provided that Alex Robinette is on the sub-committee.

Dave Bench moved to nominate Jay Van Bavel to be the Sub-committee chair. Thom Farrell seconded the nomination. The motion passed with 6 in favor and 0 against and with 1 abstention (Jay Van Bavel).

Brian Rider moved that the tree ordinance to be revised by subcommittee to add, at minimum:

- **Heritage tree definition of 24" diameter at 4' height**
- **Heritage tree removal requires City Council approval**
- **Recommend that heritage trees be documented by the City**
- **No excavation in the root zone**

Thom Farrell seconded the motion. The motion passed with 7 favor and 0 against.

Duke Garwood requested to go back to the building height subcommittee to make Alex Robinette the Chair and that he and Brian Rider would join her on the subcommittee.

Thom Farrell moved to change the “Dark Sky” recommendation to “lighting” and that it state “Best practices only; website document to follow, and we are to coordinate with the efforts being done on the commercial corridor.”

Bryce Cox encouraged the CRCRC to come up with conceptually what they want to regulate, what do they want things to be and what do they consider a threat to security. He also discussed ways they may want to regulate residential lights.

Thom Farrell amended his motion to add “restrict light trespass onto adjacent properties.”

Thom Farrell thanked Jerry Fleming and Brian Rider for their helpful email exchange on this topic.

Alex Robinette seconded the amendment.

Thom Farrell amended his motion to state “create ordinance to control residential lighting and to coordinate with the commercial lighting ordinance.” Alex Robinette seconded the amendment.

Duke Garwood restated the motion and Brian Rider proposed an amendment to state that the ordinance will “among other things” deal with restriction of light trespass. Duke Garwood agreed to the amendment. Alex Robinette seconded the motion.

The motion passed with 7 in favor and 0 against.

Bryce Cox stated that they could get the committee a copy of what the commercial corridor group is working on.

Thom Farrell, Alex Robinette and Brian Rider agreed to work on this subcommittee.

The CRCRC discussed the list of items to “recommend against further action,” including number of stories, overall area of top story and zoning districts.

The CRCRC discussed that there still may be a place for FAR in this discussion, and when it would come in to play given the other restrictions that are being proposed. They discussed tabling the discussion on FAR until they see the rest of the restrictions in place and would know if they actually need it.

Jay Van Bavel suggested tabling these items at this time and coming back to them later in this process.

Thom Farrell moved to recommend against current action on number of stories, overall area of top story (to be handled by building envelope), zoning districts, FAR and impervious cover pending review of the other changes and how they impact these other issues. Duke Garwood seconded the motion. The motion passed with 7 in favor and 0 against.

5. Discussion and possible action regarding the way forward



Chair Dave Bench stated that this item was discussed in conjunction with the previous item. He also stated that he would report back to the group after he speaks to the City Council.

6. Discussion and possible action on future meeting dates and agenda topics for discussion


Chair Dave Bench stated that the next meeting is on January 23rd and that at some point he would want to bring the fire department to a future meeting.

ADJOURNMENT OF MEETING AND PUBLIC WORKSHOP

The meeting was adjourned at 7:06 p.m.

Minutes adopted on the 22nd day of January, 2024. 

Dave Bench, Chair

ATTEST:


Desiree Adair, City Secretary